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ACTS

OF

ASSEMBLY,

PASSED in the

Iſland of *JAMAICA*;

From 1681, to 1737, inclusive.



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1716. *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, and to maintain ſuch as ſhall come over within a certain Time, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes,* 106

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An Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charge of the Government; and applying the ſame to ſeveral Uſes, ibid.

An Act for granting a Supply to his Majeſty, to enable the Treaſury to diſcharge its Debts, and to anſwer the other Exigences of the Government, ibid.

An Act for granting further Relief in relation to proving of Wills and Teſtaments, and granting Letters of Adminiſtration of Inteſtate Eſtates, ibid.

An Act to prevent Negroes being Evidence againſt Dorothy, *the Wife, and* John, Thomas, *and* Francis, *Sons of* John Williams, *a free Negro,* ibid.

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An Act to augment the Salary of his Grace the Duke of Portland, ibid.

An Act for making his Majeſty's Revenue perpetual, and augmenting the ſame; and continuing and declaring what Laws are in Force in this Iſland, ibid.

An Act for the more effectual preventing of Frauds and Abuſes in collecting his Majeſty's Revenue, ibid.

1723. *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes,* ibid.

An Act for raiſing ſeveral Sums of Money, and altering the Duty upon Indigo to be imported; and for applying ſuch Sums to ſeveral Uſes, ibid.

An Act for fitting out a Sloop, or other Veſſel, for guarding the Sea-coaſts, and better Defence of this Iſland, ibid.

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1724. *An Act for reviving an Act, intituled,* An Act for raiſing a Revenue to her Majeſty, her Heirs and Succeſſors, for the Support of the Government of this Iſland, and for maintaining and repairing her Majeſty's Forts and Fortifications; and all other Acts and Laws of *Jamaica* that expired with the ſaid Act on the firſt Day of *October*, in the Year of our Lord One thouſand ſeven hundred and twenty four, ibid.

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An Act for laying out a Road from a Place called the Cave, *in the Pariſh of* Weſtmorland, *to the Weſt End of the Pariſh of St.* James, ibid.

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An Act for the more effectual and ſpeedy collecting the ſeveral out-ſtanding publick Debts of this Iſland, ibid.

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An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes, ibid.

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An Act for the further Relief of the Inhabitants of Port Royal, ibid.

An Act for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof, as they have been introduced and uſed, ibid.

An Act to enable the ſeveral Pariſhes in this Iſland to chooſe Pariſh Officers, and lay Pariſh Taxes for the Year enſuing ; and to prevent Diſputes at Law concerning the regiſtring of Deeds and Patents, and Bonds, given in the Secretary's Office ſince the firſt Day of October *laſt,* Page 140 — Paſſed 1725.

An Act to inflict further and other Puniſhments on the Tranſgreſſors of two ſeveral Acts, the one, intituled, An Act for the better Order and Government of Slaves ; *and the other, intituled,* An Act to prevent the enticing or enveigling of Slaves from the Poſſeſſors ; and for the preventing the Tranſportation of Slaves by Mortgagers and Tenants for Life or Years ; and for regulating Abuſes committed by Slaves, ibid.

An Act to prevent the Abuſes committed by entertaining, concealing, or carrying off any of his Majeſty's Soldiers or Sailors, or any white Servants or Slaves belonging to any of the Inhabitants of this Iſland. 141

An Act for reviving of Proceſs. ibid.

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An Act to prevent clandeſtine Trade, ibid.

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An Act for raiſing a Tax by the Poll, and on Trade, and applying the ſame to ſeveral Uſes, ibid.

An Act for the more effectual and ſpeedy collecting of the ſeveral out-ſtanding publick Debts of this Iſland, ibid.

An Act to enlarge the Time for the better raiſing and collecting a Tax by the Poll, and on Trade, in ſuch Pariſhes as have omitted doing the ſame within the Times limited by the former Act for that Purpoſe, ibid.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes ; and for reparing the Wall of Port Royal. ibid.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes, ibid.

An Act for the better carrying on and ſecuring the new Settlements at Port Antonio, *in the Pariſh of* Portland, ibid.

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An Act for the more effectual collecting the out-ſtanding publick Debts, ibid.

An Act for veſting Twenty Acres of Land in Lynch's *Iſland in the Crown,* ibid. — 1730.

An Act for the better amending the Highways, ibid.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes ; and for repairing the Wall of Port Royal, 157

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An Act for the better ſuppreſſing and reduciug the rebellious and runaway Negroes, ibid.

An Act for the better regulating Slaves, and rendering free Negroes and Mullattoes more uſeful ; and preventing Hawking and Pedling ; and enlarging the Time for the Commiſſioners collecting the out-ſtanding Debts, ibid.

An Act for raiſing Parties for diſlodging and reducing the rebellious Slaves in the Windward and other Parts of this Iſland, ibid.

Paſſed 1730. *An Act for raiſing Money, and applying the ſame to the Uſe of Parties to be ſent out to diſlodge and reduce the rebellious Slaves in the Windward and other Parts of this Iſland,* Page 157

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An Act for preſerving the Harbour of Port Antonio, *in the Pariſh of* Portland, ibid.

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An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white people, or pay certain Sums of Money in caſe they ſhall be deficient ; and for laying a Duty upon Shipping, and applying the ſame to ſeveral Uſes, ibid.

An Act for the appropriating and applying Money for the Payment of the additional Subſiſtence of the Officers and Soldiers of the two Regiments arrived, and for other Uſes ; and for aſcertaining the voluntary Rewards to be allowed them for the Services they perform ; and to oblige ſuch Pariſhes as have not already made up their Accounts, and paid in their Arrears, to do the ſame in a prefixed Time, ibid.

1731. *An Act for rendering the Two Regiments of Soldiers more ſerviceable, and providing an additional Subſiſtence for them for a longer Time ; and more ſpeedy Reduction of the rebellious Negroes,* ibid.

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An Act for veſting the real Eſtate late of Elizabeth Doddington, *formerly of* Port Royal *in this Iſland, Widow, deceaſed, undiſpoſed of by her Executors and Truſtees, in the Church-wardens of* Port Royal, *and their Succeſſors, for Performance of her Will,* ibid.

An Act to eſtabliſh, confirm, and ſecure the Right and Title of the Honourable Edward Charlton, *Eſq; to three Parcels of Land in the Town of St.* Jago de la Vega, *in the Pariſh of St.* Catharine, 163

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An Act for the further quieting Poſſeſſions, and regulating Reſurveys, ibid.

An Act for the better preſerving of the Records in the ſeveral publick Offices of this Iſland, ſupplying and remedying Defects in ſeveral former Laws, for preventing fraudulent Deeds and Conveyances, and recording old Wills in a prefixed Time, 165

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An Act to prevent the Abuſes committed by entertaining, concealing, or carrying off any of his Majeſty's Soldiers, any White Men or Women, Servants or Slaves belonging to any of the Inhabitants of this Iſland, without Tickets ; and for the better regulating Servants, and deciding Differences between Maſters and Servants, ibid.

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An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient ; and for laying a Duty upon Shipping, and applying the ſame to ſeveral Uſes, ibid

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1732. *An Act for continuing Part of two ſeveral Acts,* viz. *ſuch Part of an Act, intituled,* An Act for the better ſuppreſſing and reducing the rebellious and runaway Negroes, *paſſed in the Month of* March, *in the Year of our Lord One thouſand ſeven hundred and thirty; and which was continued by one other Act, intituled,* An Act to continue Part of an Act, intituled, *An Act for the better ſuppreſſing and reducing the rebellious and runaway Negroes; and impowering ſuch Pariſhes as are omitted in the ſaid Act, to ſend Parties in like Manner and Proportion as the Pariſhes in the ſaid Act mentioned; to aſcertain the Pay of the ſaid Parties, and appointing other Commiſſioners; and for Payment of the ſeveral Votes of Credit, the Eaſe of the Inhabitants of* Carpenter's *Mountains, and other Purpoſes, paſſed in* July, *One thouſand ſeven hundred and thirty one; and for continuing ſuch Parts of the ſaid laſt mentioned Act, as in any wiſe relates to the fitting out and Payment of Parties, or the appointing of Commiſſioners for that Purpoſe,* 169

An Act for keeping a nightly Watch in the Town of Kingſton; *and for the Prevention of Damages that may ariſe by Fire,* ibid.

An Act for the better ſettling the Eaſt and North-eaſt Parts of this Iſland; explaining ſome Clauſes in ſeveral Acts relating thereto; and for making Satisfaction to John Lawrence, *Eſq; for a Negro loſt in the Country's Service,* 170

An Act to prevent the landing or keeping of Negroes infected with the Small-pox in any of the three Towns of St. Catharine, Port Royal, *and* Kingſton, ibid.

An Act to enable Truſtees to ſell and diſpoſe of ſeveral Pieces and Parcels of Land in the Pariſh of Weſtmoreland, *and other Pariſhes in this Iſland, late the Eſtate of* Thomas Tomlin, *Planter, deceaſed; and to apply the Monies ariſing thereby towards Payment and Satisfaction of a Mortgage given by him in his Life-time of a Plantation or Sugar-work in the ſaid Pariſh of* Weſtmoreland, *with the Slaves, Cattle, and Stock thereon, in order to preſerve the ſame from Sale, and improve it for the ſaid* Tomlin's *Heir, a Minor of tender Years,* ibid.

1733. *An Act for the Manumiſſion of the Wife and Children of a free Negro-man,* Sambo, *and of other Negroes; and for recompencing their reſpective Owners,* 171

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An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes, ibid.

An Act to ſecure the Freedom of Elections, and directing the Proceedings in the Choice of Members to ſerve in Aſſemblies in this Iſland; to qualify Perſons elected to ſerve in future Aſſemblies in this Iſland; and to aſcertain who ſhall be deemed Mulattoes for the future, ibid.

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An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the two Independent Companies; preventing the Exportation of ſeveral Commodities into the French *and* Spaniſh *Iſlands; and ſubjecting the Party-men to the Rules and Articles of War, in Force in this Iſland in the Time of the laſt Martial Law,* ibid.

An Act for the Eaſe of the Inhabitants of the Pariſh of St. James, ibid.

An Act for the more ſpeedy and effectual collecting the publick and parochial out-ſtanding Debts, ibid.

An Act for ſecuring and collecting his Majeſty's Quit-rents, Fines, Forfeitures, and Amerciaments; and for regulating the Manner of Eſcheats; and for ſecuring the Poſſeſſors of Lands already forfeited and ſettled, and further Diſcovery of ſuch forfeited Lands, and encouraging the ſettling thereof, ibid.

An Act to repeal Part of an Act, intituled, An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes, *paſſed in* April *laſt; and to oblige Tavern-keepers, and Retailers of Rum, Sugar, Rum Punch, and Billiard-table-keepers, to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient, in full Lieu and Satisfaction of the ſeveral Taxes impoſed upon them reſpectively by the ſaid Act,* 176

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An

Paſſed
1733. *An Act for dividing this Iſland into two Diviſions, to be for ever hereafter known and deſcribed by the Names of the* Eaſtern *and* Weſtern Diviſions; *for erecting and building Barracks in the ſaid* Weſtern Diviſion; *cutting and clearing Roads therein; and for raiſing and fitting out Parties, for the more ſpeedy and effectual ſuppreſſing the rebellious and runaway Negroes,* Page 177

An Act for leſſening the Quorum *appointed by an Act, intituled,* An Act for the more ſpeedy and effectual collecting the publick and parochial out-ſtanding Debts; enlarging the Time for finiſhing and compleating the publick Accounts; and to enable ſuch Pariſhes to lay, aſſeſs, and pay over the ſeveral Taxes impoſed on them by any Laws, as have hitherto omitted to do the ſame, 183

An Act for cutting a Road from the Breaſtwork, and building a defenſible Houſe at or near the Place where Capt. De la Milliere *was ambuſhed; and for prohibiting the retailing of Rum at* Titchfield, ibid.

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An Act to eſtabliſh, confirm, and ſecure the Right and Title of John Stewart, *Eſq; to a Houſe in the Town of St.* Jago de la Vega, *in the Pariſh of St.* Catharine, *commonly called the* Fort-houſe, *with certain Lands thereunto belonging and adjoining,* 186

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An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the two Independent Companies; and preventing the Exportation of ſeveral Commodities into the French *and* Spaniſh *Iſlands,* ibid.

An Act for the Encouragement of Hugh King, *of the Pariſh of* Weſtmoreland, *in the Iſland of* Jamaica *aforeſaid, Millwright,* ibid.

An Act for raiſing of Money, and applying the ſame to the Uſe of Parties to be ſent out to reduce the rebellious Negroes, ibid.

An Act for appointing John Sharpe *of the* Middle Temple, London, *Eſq; Agent in* Great Britain, *to ſolicite the paſſing of Laws, and other the publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management,* ibid.

An Act for the Relief of ſuch Perſons as have been over-aſſeſſed, or wrongfully charged in the Arrearage Rolls, iſſued by virtue of an Act, intituled, An Act for the more ſpeedy and effectual collecting the publick and parochial out-ſtanding Debts, and for ſuſpending the Execution of the ſaid Act for a certain Time, 187

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1734. *An Act for the further Encouragement of Parties, and more ſpeedy Reduction of rebellious and runaway Slaves,* ibid.

An Act for the more ſpeedy cutting of Roads, and building Barracks in the Eaſtern Diviſion; and for the Reception of the Troops expected, ibid.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; and for ſubſiſting the Officers and Soldiers of the ſix independent Companies expected, ibid.

An Act to veſt Lands in Port Royal *in his Majeſty, his Heirs and Succeſſors, for the Uſe of his Ships of War,* ibid.

An Act for appointing and placing a proper Guard or Guards in the Weſtern Diviſion, of this Iſland, in order to ſecure and protect the remote and expoſed Settlements thereof, 190

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An Act to explain ſome Part of an Act, intituled, An Act for putting this Iſland under Martial Law, for any Time not exceeding ſix Months; for impowering the Civil Magiſtrates and other Officers of the reſpective Pariſhes in this Iſland, during the Time of Martial Law, to levy, aſſeſs, and collect, as well all publick Debts, as parochial Taxes, for keeping the Highways in Repair; impowering the Receiver-general to borrow Money at Intereſt; and for obliging the Provoſt-marſhal to ſell Slaves and other Effects now in his Cuſtody in a prefixed Time, *paſſed this Seſſion of Aſſembly,* ibid.

An Act for enabling Elizabeth Hall, *of the Pariſh of St.* Andrew, *Widow, Executrix of the laſt Will and Teſtament of* James Hall, *late of the ſaid Pariſh, Eſq; deceaſed, to ſell and diſpoſe*

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An Act for the Encouragement of good and able men to march from the Barracks againſt the rebellious Negroes, during Martial law; and for making Satisfaction to ſuch Perſons as may loſe any Slaves in any Engagement or March after the rebellious Negroes; and for providing for the Sick and Wounded, ibid.
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An Act for impoſing a Duty on all Rum, and other Spirits of Strong-waters retailed in this Iſland; and for applying the ſame to ſeveral Uſes, ibid. — 1735.
An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies; and preventing the Exportation of ſeveral Commodities into the French *and* Spaniſh *Iſlands,* ibid.
An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes, ibid.
An Act for putting this Iſland under Martial Law, for any Time not exceeding three Months; for impowering the Civil Magiſtrates, and other Officers of the reſpective Pariſhes in this Iſland, during the Time of Martial Law, to levy, aſſeſs, and collect, as well publick Debts, as parochial Taxes, for keeping the Highways in Repair; impowering the Receiver-general to borrow Money at Intereſt; and for obliging the Provoſt-marſhal to ſell Slaves and other Effects now in his Cuſtody, in a prefixed Time, ibid.
An Act for the enabling Mary Howell, *of the Pariſh of St.* Catharine, *in the ſaid Iſland, Widow, Executrix of the laſt Will and Teſtament of* Samuel Howell, *late of the ſame Pariſh, Planter, deceaſed, to ſell and diſpoſe of divers Meſſuages, Lands, Tenements, Slaves, and perſonal Eſtate, late belonging to him the ſaid* Samuel Howell, *for the Payment of his Debts,* ibid.
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An Act for the more effectual collecting the ſeveral Debts due on account of Deficiency and Poll Taxes, and all other publick and parochial Debts, 196
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An Act for enlarging, widening, and repairing the Road to Sixteen Mile Walk, ibid.
An Act for appointing John Sharp, *of the* Middle Temple, London, *Eſq; Agent in* Great Britain, *ſo ſolicite the paſſing of Laws, and other the publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management,* ibid. — 1736.
An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies; and preventing the Exportation of ſeveral Commodities into the French *and* Spaniſh *Iſlands,* ibid.
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An Act for introducing of white People into this Iſland; for ſubſiſting them for a certain Time; and providing them with Land, that they may become Settlers, ibid.
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An Act for the Encouragement of Major Thomas Sainthill *in his Projections of making of Cattle or Horſe Mills; and for hanging of Coppers, and cleanſing of Cane Liquor,* ibid.

An Act for impowering William Peete *to keep the Ferry; and erect a Tollgate or Turnpike between St.* Catharine's *and St.* Andrew's; *and taking up runaway Negroes,* ibid.

An Act to prevent the Abuſes committed by entertaining, concealing, or carrying off any of his Majeſty's Soldiers, any white Men or Women, Servants or Slaves belonging to any of the Inhabitants of this Iſland, without Tickets; and for the better regulating Servants, and deciding Differences between Maſters and ſervants, 205

An Act for repealing an Act, intituled, An Act for the Eaſe of the Inhabitants of the Pariſh of St. *James; and appointing the Place for holding the Courts of Quarter-ſeſſions, Common-pleas, and other publick Buſineſs of the Pariſh,* 207

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An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes, ibid.

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1737. *An Act to enable the Inhabitants of the Pariſh of St.* Anne *to build a Barrack at or near the Head of* Rio Bueno, *which divides the Pariſh of St.* Anne *from the Pariſh of St.* James; *and to exempt them from their further contributing to the building of any other Barrack; and for paying the Officers of the Barrack at the* Little Maneagne, ibid.

An Act to enable the Conſtables of the ſeveral Pariſhes in this Iſland to make Diſtreſs as uſual, in collecting and receiving the Deficiency-Tax from the Twenty eight of March, *One thouſand ſeven hundred and thirty ſeven, to the Twenty eighth of* March, *One thouſand ſeven hundred and thirty eight; and impowering the Church-wardens and Conſtables of the ſaid Pariſhes to receive and retain their ſeveral Commiſſions on the ſaid Tax as uſual,* 212

An Act for the better preſerving the publick Records of this Iſland, ibid.

An Act for effectually ſettling the Pariſh of Portland, *by veſting all the unſettled Lands in the ſaid Pariſh in the Crown,* 213

THE



J. Vander Gucht delin & Sculp

THE

LAWS

OF

JAMAICA.

An Act appointing the Number of the Aſſembly.

1681.

№ 1.

BE it enacted and ordained by the Governor, Counſel, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That in every Aſſembly hereafter to be called by his Majeſty's Writs, and held within this Iſland, there be choſen Three Repreſentatives for the Pariſh of St. *Catharine*'s, the like Number for the Pariſh of *Port-Royal*, and Two for each other of the reſpective Pariſhes that now are, or hereafter ſhall be in this Iſland; and that the Provoſt Marſhal, or his lawful Deputy, give to every Perſon elected, within Ten Days after his Election, Notice that he is ſo elected.

The Number of Repreſentatives to be choſen by the ſeveral Pariſhes.

II. PROVIDED always, That every Perſon elected ſhall be a Freeholder in this Iſland; and that none have Right to vote in any Election, but thoſe that are Freeholders in the ſame Pariſh where the Election is to be made.

Proviſo.

1681.
№ 2.

An Act for regulating Servants.

The Number of White Men to be kept in Proportion to the working Slaves.

BE it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all and every Maſter or Miſtreſs of Slaves, for the firſt Five working Slaves, ſhall be obliged to keep One white Man-ſervant, Overſeer, or hired Man, for Three Months at leaſt; and if the Number increaſe to Ten, Two; and for every Ten after the firſt, One, to be Reſident in the Plantation where the Negroes are employed; and if any ſhall be wanting, for the Space of Six Months, of the Proportion aforeſaid, he, ſhe, or they, for every Servant ſo wanting, ſhall forfeit Five Pounds to the Uſe of the Pariſh where ſuch Default ſhall be made; to be recovered by the Church-wardens by Action of Debt in any Court of Record in this Iſland.

Owners of Slaves to inform the Conſtable how many Slaves belong to them, &c.

II. AND it is further enacted and ordained by the Authority aforeſaid, That all Maſters, Miſtreſſes, or Overſeers of Slaves, who ſhall not truly inform the Conſtable or Conſtables within their ſeveral Precincts, when thereunto required, of all ſuch hired Men, or Servants, and working Slaves, as ſhall juſtly and truly belong unto them, or under their Care, ſhall forfeit the Sum of Twenty Pounds; to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed; one Third of which Penalty ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third to the Church-wardens of the Pariſh where the Offence ſhall be committed, for the Uſe of the ſaid Pariſh; and the other Third to the Informer, or he that ſhall ſue for the ſame.

Penalty on Conſtable neglecting his Duty.

III. AND whatever Conſtable or Conſtables ſhall neglect his or their Duty herein, by not demanding an Account every Six Months, and returning the ſame unto the Juſtices ſitting at the next Quarter-ſeſſions of that Precinct, which they are hereby required to do, ſhall, for every ſuch Default, forfeit the like Sum of Twenty Pounds; to be recovered and applied in Manner and Form aforeſaid.

The Terms of Servitude.

IV. THAT all Servants ſhall ſerve according to their Contract and Indenture; and where there is no Contract or Indenture, Servants under Eighteen Years of Age, at their Arrival in this Iſland, ſhall ſerve Seven Years; and above Eighteen Years of Age, ſhall ſerve Four Years: And all convicted Felons, for the Time of their Baniſhment, and at the Expiration of their Times aforeſaid, ſhall receive from their late Maſter, Miſtreſs, or Employer, Forty Shillings, and a Certificate of their Freedom upon Demand; and whoſoever ſhall refuſe, without juſt Cauſe, to give ſuch Certificate to any Servant, Artificer or Labourer, whoſe Time is expired, or Contract performed, ſhall forfeit Forty Shillings for every ſuch Refuſal.

Penalty on employing uncertificated Perſons.

V. AND whoſoever ſhall employ any free Perſon without a Certificate from the laſt Employer, of the Performance of his or their laſt Bargain or Contract, ſhall forfeit Ten Pounds.

Penalty on trading with Slaves without Conſent of their Owners

VI. THAT no Perſon or Perſons preſume to trade with any Servant or Slave without the Maſter or Miſtreſs's Conſent, on Penalty of forfeiting to the Maſter or Miſtreſs of ſuch Servant or Slave treble the Value of the Things traded for, bought, or ſold, and alſo Ten Pounds current Money of this Iſland; to be recovered by ſuch Maſter or Miſtreſs, by Action of Debt in any Court of Record; and all Contracts made with Servants or Slaves to be utterly void.

Puniſhment of Slaves for laying violent Hands on their Owners.

VII. THAT if any Servant or hired Labourer ſhall lay violent Hands upon his or her Employer, Overſeer, or other Perſon put in Authority over him or her, ſuch Servant or Labourer ſhall, for ſuch Offence, ſerve his or her Employer without any Wages Twelve Months, by Order of any Juſtice of the Peace, on Conviction.

Overſeer, &c. waſting his Employer's Goods, to make Satisfaction according to the Diſcretion of a Juſtice.

VIII. THAT by the like Order and Conviction, any Overſeer or Artificer, hired Labourer or Servant, that ſhall imbezil, purloin, make away, or waſte any of his or her Employer's Money, Goods or Chattels, not exceeding the Value of Forty Shillings, ſhall ſerve, or make Satisfaction, according to the Diſcretion of any one of his Majeſty's Juſtices of the Peace; and if above the Value of Forty Shillings, to ſerve Two Years by the like Order without any Wages, and be further liable in caſe that Time will not ſatisfy; and if any ſuch Perſon as aforeſaid ſhall embezil, purloin, or make away any Money, Goods or Chattels of any others than their Maſters, Miſtreſſes, or Employers, they ſhall incur the ſame Penalty, and ſerve the Party injured as aforeſaid, after their Time expired with their Maſters or Miſtreſſes.

Penalty on the Fathers and Mothers of Baſtard Children,

IX. AND be it further enacted by Authority aforeſaid, That if any Freeman of this Iſland ſhall at any Time hereafter beget a Woman Servant with Child, he ſhall (upon due Proof thereof made, which Proof ſhall be by the Oath of the ſaid Woman, as in other Caſes of Baſtardy) give good Security to ſave the Pariſh harmleſs; and as a further Puniſhment for his Offence, and for and towards Satisfaction of the Maſter or Miſtreſs of ſuch

Servant

1681.

Servant, ſhall forfeit and pay unto the ſaid Maſter or Miſtreſs the full Sum of Twenty Pounds current Money of this Iſland; and ſhall likewiſe provide for the Maintenance of the ſaid Servant and Child; and in caſe of Failure herein, ſhall ſerve the Maſter or Miſtreſs of ſuch ſervant double the Time that ſhe had to ſerve at the Time of the Offence committed, or ſhall procure one in his or their Stead that ſhall be obliged ſo to do; and in caſe one Servant ſhall beget another with Child, then the Man-ſervant ſhall, after the Expiration of his Term, ſerve the Maſter or Miſtreſs of the Woman-ſervant double the Time ſhe had to ſerve at the Time of the Offence committed.

and on Man-ſervants marrying without Owner's Conſent.

X. THAT any Man-ſervant marrying without the Maſter's or Miſtreſs's Conſent, ſhall ſerve Two Years for ſuch Offence; but if any Freeman ſhall marry a ſervant, he ſhall be liable to pay the Maſter or Miſtreſs Twenty Pounds, and ſhe ſhall be free.

Suits between Slaves and their Owners to be determined by Two Juſtices.

XI. THAT all Suits between Servants and their Maſters or Miſtreſſes, relating to their Freedom, ſhall be heard and determined by any Two Juſtices of the Peace, without any Appeal; and if any Servants abſent themſelves from their Maſter's or Miſtreſs's Service, without Leave, or a Ticket from their Maſter, Miſtreſs, or Overſeer, ſhall, for every ſuch Day's Abſence, ſerve one Week, and ſo in Proportion for a longer or ſhorter Time; the whole Puniſhment not to exceed Three Years.

Penalty on Owners turning away their Slaves when ſick.

XII. THAT if any Perſon ſhall turn away any ſick or infirm Servant under Pretence of Freedom or otherwiſe, and ſuch Servant ſhall die for want of Relief, or become chargeable to any Pariſh; the Offender ſhall forfeit Twenty Pounds of current Money of this Iſland, to the Uſe of the Pariſh where ſuch Death or Charge ſhall happen; to be recovered by the Church-wardens, by Action of Debt in any Court of Record, unleſs the Party offending ſhall pay the ſame, and alſo receive the ſaid Servant, if living, and him to maintain during the whole Time the ſaid Servant had to ſerve; but if any Servant through wilful Misbehaviour ſhall happen to have the *French Pox*, *Yaws*, or any other Diſeaſe, broken Bones, Bruiſes, Sickneſs, Impediment, or Impriſonment, he or ſhe ſhall ſerve their Maſters or Miſtreſſes double the Time thereby neglected; and alſo for all Charges occaſioned by reaſon thereof, at Ten Shillings *per* Month, after their Time by Indenture or otherwiſe be expired; and alſo Maſters or Miſtreſſes of Servants, who ſhall receive unjuſt Moleſtation by Complaints or Suits of Law, ſhall have the ſame Remedy for their Expences and Loſs of Time.

Clauſe to prevent Slaves being whipped naked.

XIII. THAT no Servant be whipped naked without Order of a Juſtice of Peace, upon Penalty of Five Pounds; to be recovered by the Party injured by Action of Debt in any Court of Record.

Slaves Proviſion.

XIV. AND whoſoever ſhall not give to each White Servant weekly Four Pounds of good Fleſh, or Four Pounds of good Fiſh, together with ſuch convenient Plantation Proviſion as may be ſufficient, ſhall forfeit to the Party injured Ten Shillings for each Offence.

Their Cloathing.

XV. AND whoſoever ſhall not yearly give to each Servant-man Three Shirts, Three Pair of Drawers, Three Pair of Shoes, Three Pair of Stockings, and One Hat or Cap, and to the Women porportionably, ſhall forfeit to the Party injured Forty Shillings.

No Servant to be buried before his Body is viewed.

XVI. THAT no Maſter, Miſtreſs, or Overſeer, ſhall cauſe or ſuffer any Chriſtian Servant to be buried or interred, until the Body of ſuch Servant ſhall be viewed by a Juſtice, of the Peace, Conſtable, or Tythingman, or by Two ſuch Neighbours as the ſaid Juſtice, Conſtable, or Tythingman ſhall chooſe and appoint; on Penalty of Twenty Pounds, current Money of this Iſland, unleſs ſuch Perſon died Ten Miles from the Dwelling of a Juſtice, Conſtable, or Tythingman, and hath been viewed by Two of the next Neighbours, and in Default of Neighbours, by two of the ſame Family; or that the ſaid Juſtice, Conſtable, Tythingman, or Neighbours, have not, within Six Hours after Notice given, come to view the dead Body; and whoſoever, upon Notice given, and Requeſt made, to view ſuch Dead, and ſhall not, within Four Hours after ſuch Notice, repair to the View, or on the View finding any ſuſpicious Tokens of the Body's unlawful Death, ſhall not forthwith give Notice to the Coroner, or in Default of a Coroner of that Pariſh, to the next Juſtice of the Peace, ſhall forfeit Ten Pounds; which Juſtice, in ſuch Caſes, is hereby impowered to act as Coroner.

Penalty on knowingly entertaining another's Servant.

XVII. THAT whoſoever ſhall entertain a Servant knowing the ſame to be ſo, ſhall forfeit for every Day and Night after the firſt, Five Pounds; and not knowing him to be a Servant, Twenty Shillings for every Day and Night after the firſt; ſo that the whole exceed not treble the Value of the Servant's Time remaining to be ſerved with the Maſter or Miſtreſs: Provided, that this Clauſe extend not to Servants by Contract made in this Iſland, but ſuch as are atteſted by a Juſtice of the Peace; nor to ſuch as entertain any as bring a Certificate of their Freedom, atteſted under the Name of a Juſtice of Peace, tho' the ſame be falſe and forged; or for any other Perſon, whoſe name the Bringer perſonateth; but ſuch Forger, Falſifier, Perſonator, or Bringer, and every one of them, ſhall be ſet in the Pillory, and loſe his Ears, on Conviction thereof in the Supreme Court of Judicature; but whoſoever ſhall entertain a Servant any Time, if the ſaid Servant ſhall be

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be drunk, trade, or game during the ſaid Time, ſhall forfeit the Sum of Twenty Shillings; the one Half to the Pariſh where the Offence ſhall be committed, and the other Half to the Informer; to be levied by a Warrant from any Juſtice of the Peace.

XVIII. AND alſo if a Servant, or hired Labourer, ſhall be guilty of hiding or entertaining any Perſon's Servant or Slave, he ſhall forfeit one Year's Service to the Maſter or Miſtreſs of ſuch Servant or Slave, or receive Thirty-nine Laſhes on the naked Back, at the Election of the Party injured; to be ordered by any Juſtice of the Peace to any Conſtable in the Precincts.

Penalty on carrying another's Goods on his Employer's Cattle, &c.

XIX THAT no Perſon ſhall ride, load, or carry on his Employer's Horſes, Cattle, Carts and Carriages (or willingly ſuffer the ſame to be done) any Goods or Thing whatſoever, other than the Maſter's or Miſtreſs's, without ſuch Maſter or Miſtreſs's Conſent, on Penalty of Three Months Service for each and every ſuch Default.

and on Conſtable neglecting to apprehend Runaways. Reward for taking them.

XX AND all Conſtables and Tythingmen are to be diligent in apprehending and ſearching for Runaways, on Penalty of Twenty Pounds for every Neglect.

XXI. AND upon the apprehending of Runaways, if the Maſter or Miſtreſs be known, the Servant ſhall be carried to the Maſter's or Miſtreſs's neareſt Home, on Penalty of Forty Shillings; if not known, to the next common Gaol, and the Bringer to receive of Maſter, Miſtreſs, or Gaoler, Eight Pence *per* Mile, ſo as the whole exceed not Forty Shillings; which ſaid Gaoler is hereby impowered and commanded to receive ſuch Runaway or Runaways, and to pay unto the Bringer Eight Pence *per* Mile, as aforeſaid, for every ſuch Runaway ſo brought to him, on Penalty of Forty Shillings.

Marſhal's Fees.

XXII. AND that it ſhall and may be lawful for the Marſhal to detain and keep in Cuſtody the Bodies of all ſuch Runaways ſo brought unto him until the Maſter or Miſtreſs of them, or their Aſſigns, ſhall pay unto him the full Sum of what he hath ſo paid for them, with Two Shillings Six Pence *per* Pound for laying out the Money, and ſo proportionably; and alſo Six Pence for every Twenty-four Hours the ſaid Runaway hath been in his Cuſtody.

Penalty on him if they eſcape.

XXIII. AND if the ſaid Marſhal ſhall ſuffer any Runaway ſo brought to him to eſcape before he be duly delivered to his Maſter or Miſtreſs, or his or her Aſſigns, that then the ſaid Marſhal ſhall pay unto the Maſter or Miſtreſs of the ſaid Runaway, ſo much as he ſhall be condemned in by the Verdict of a Jury at common Law: Alſo any one may take up any ſuſpected Perſons, and carry him or her to any Juſtice to be examined.

Act to be read once a Year.

XXIV. THAT the Captain, or any other Commiſſion Officer, ſhall, at the Head of every reſpective Company and Troop, publiſh, or cauſe to be publiſhed, this preſent Act once every Twelve Months, under the Penalty of five Pounds.

Forfeitures how to be diſpoſed of.

XXV. PROVIDED alſo, That the ſeveral Fines, Forfeitures and Penalties before mentioned in this Act, and not declared where they ſhall be recovered, and how diſpoſed of, be one Moiety to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and contingent Charges thereof, the other to the Informer; to be recovered by Action of Debt (if not exceeding Forty Shillings) as all Penalties of Service, before any Juſtice of the Peace; and if above Forty Shillings, and not for Service, in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Limitation of Suits.

XXVI. AND be it further provided, That no Perſon or Perſons ſhall be ſued, moleſted or troubled for any Fine or Forfeiture againſt this preſent Act, unleſs the Party ſo offending ſhall be ſued, or impleaded for the ſame, within Two Years at the moſt after the ſaid Offence ſhall be committed.

N° 3. *An Act for the Highways.*

By whom Surveyors are to be choſen, &c.

FOR the better amending and keeping clear the common Highways and known broad Paths within this Iſland, leading to Church and Market, and for laying out new Highways, and turning old Highways, where it ſhall be needful, be it enacted and ordained by the Governor and Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Veſtry of each Pariſh, or the major Part of them, ſhall, on every third *Monday* in *January*, before Noon, at their Pariſh Church, or other convenient Place, chuſe Four or more Freeholders, each ſeized of at leaſt Thirty Acres Freehold, in Right of himſelf or Wife, to be Surveyors for the Year enſuing; if the Veſtry neglects, each Perſon abſent or negligent ſhall forfeit Forty Shillings, and the Juſtices, at their next Seſſions being informed thereof, ſhall appoint Four or more ſuch Surveyors as aforeſaid; every Perſon ſo choſen or appointed, ſhall, within Ten Days (due Notice being given him by the Clerk of the Veſtry) procure himſelf to be ſworn before ſome Juſtice in the ſaid Pariſh, diligently and faithfully to perform the ſaid Office for the Year enſuing, and give a juſt Account to the Juſtices and Veſtry (if required) of what

what he ſhall receive, pay, or do by virtue of his Office, on Penalty of Ten Pounds Sterling. 1681.

II. THAT the Surveyors being ſworn as aforeſaid, ſhall, within ſixteen Days after their having viewed and conſidered the Highways and Bridges, inform the Juſtices and Veſtry of the Defects, Wants, and Alterations needful in the ſame, to the end (as they are hereby impowered) the ſaid Juſtices and Veſtry may lay a Tax of ſuch Money, Labour, or other Things, as to them ſhall ſeem convenient and neceſſary; which if the Juſtices and Veſtry ſhall not do before the laſt day of *February* in each Year, then ſuch Surveyor ſhall make ſuch Tax in Writing, which being confirmed by any Two Juſtices in the ſaid Pariſh, ſhall ſtand good till ſome Complaint be made at the Quarter-ſeſſions in that Pariſh, and the Juſtices then and there to confirm or alter the ſame without Appeal from thence. their Duty, &c.

III. THAT the Highways be ſixty Foot wide in ſtanding Wood, forty Foot where the Wood is only on one Side, and twenty-four Foot in open Ground; and that the Surveyors have Power to cut down, dig up, or remove, as well all Sorts of Trees, Buſhes, Prickle, Fences, Rails, Gates, or Incloſures, or other Thing or Things, as may any ways ſtraiten, hurt, hinder, or incommode the Highways; as alſo to dig for Stone or Gravel, Clay, Marl, Sand, or Earth, in any Land not planted or incloſed, as Yard or Garden to a Houſe, or to preſs any Cart, Carriage, Workman, or other Thing, fit to be employed in the Highways, for ſuch reaſonable Satisfaction to the Parties concerned as ſuch Surveyor can agree for; and in caſe of Diſagreement, ſuch as the next or any Juſtice in the Pariſh ſhall appoint. Dimenſions of the Highways.

IV. PROVIDED nevertheleſs, That where Gates are or ſhall be erected, of at leaſt ten Foot between Poſt and Poſt, or the Highway ſtraitened, by Incloſure on both Sides, but the Way ſo well kept by Cauſeway or otherwiſe, that two Carriages may meet and paſs each other, and the Ground as firm as is neceſſary, then the ſaid Surveyors ſhall forbear to pull down or remove ſuch Gates or Fences; any thing herein ſeeming to the contrary notwithſtanding: But if any Perſon ſhall again erect or cauſe any Nuſance in the Highways, which was by the Surveyor removed, for ſuch Offence he or they ſhall forfeit Five Pounds. Exception.

V. AND in caſe where a new Path or Road is wanting, or where old Ways may, with more Conveniency, be turned or altered, or where to ſome Plantation or Plantations no Highways are yet laid out, to lead them into the high Roads which go towards the Market or Church, or to any convenient Harbour or Landing-place, fitting for receiving aſhore or ſhipping off any Goods; upon Notice thereof given to any Juſtice of the Peace, he ſhall, on Requeſt, iſſue his Warrant to the next Conſtable in the ſaid Pariſh, to ſummon a Jury to meet at ſome convenient Place and Day therein to be mentioned, to view and lay out, or alter ſuch Paths or Roads; which ſaid Juſtice is hereby impowered to adminiſter an Oath to the ſaid Jury, that, according to the beſt of their Skills and Judgements, and with moſt Conveniency to the Publick, and leaſt Prejudice or Damage to any particular Perſon, they will lay out ſuch Way; which having done, the Surveyor is to make Return thereof to the Juſtices at the next Quarter-ſeſſions of the Pariſh where the ſame Way is, as well under his own, as the Hand of the Jurors, by whoſe Oath the ſame is laid out, to the end the ſame may be there filed or recorded, and after known for a publick Highway: And if the ſaid Surveyor ſhall neglect his Duty therein, he ſhall forfeit Twenty Pounds. Juſtice to order Conſtable to ſummon a Jury to view and lay out Paths, &c.

VI. AND be it further enacted, That every Veſtry, with Conſent of the Juſtices, may agree for Two Years with particular Perſons for their Parts and Proportion of the Ways by them to be cleared, as alſo with the Surveyors, what Part of the Pariſh they ſhall look after; and ſuch Agreements ſhall diſcharge the Parties from other Duties than what is agreed for, as alſo the Surveyor from looking after any other Part than what is allotted him; and ſuch Juſtices and Veſtrymen are to record all their Doings, touching the Ways, in the Veſtry Book; which Record in all Places ſhall be deemed good Evidence. Veſtry may agree with Perſons for 2 Years for what Work they are to do.

VII. AND the ſaid Surveyors may reſpectively iſſue their Warrants to the Conſtable or Tythingmen, to warn in Workers, or to levy Money, according to the Tax or Rate made as aforeſaid; and whoſoever ſhall fail to ſend in his Proportion of Workers, with ſuch Tools as ſhall be convenient, ſhall for every Head pay Three Shillings *per* Day, upon Conviction; to be recovered before any Juſtice of the Peace by the Surveyor. Penalty on Perſons not ſending in their Proportion of Workmen.

VIII. AND if any Juſtice neglect his Duty touching the Premiſſes, or any Part thereof, he ſhall forfeit Ten Pounds; and every Veſtryman, Surveyor, Conſtable, Tythingman, Juror, or Clerk of the Veſtry, who ſhall neglect his or their Duty, where no Penalty is before ſet, ſhall reſpectively forfeit Five Pounds for each Offence. and on Juſtice neglecting his Duty.

IX. ALL which ſaid Forfeitures ſhall be to the Uſe of the Highways; and, if not exceeding Forty Shillings, to be recovered by Action of Debt before any Juſtice of the Peace; if above Forty Shillings, in any Court of Record, where no Eſſoin, Protection, or Wager of Law ſhall be allowed. Diſpoſition of Forfeitures.

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№°. 4.

An Act appointing the Prices of Meat.

BE it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That no Perſon or Perſons, upon any Pretence whatſoever, ſhall preſume to aſk, demand, and receive for freſh Beef, Mutton, or Goat, any more, greater, or higher Rate or Price than hereafter is mentioned, *viz.* For freſh Beef or Goat, Four Pence *per* Pound; and Mutton, Six Pence; to be weighed without the Heads, Entrails, or Feet; and that the Suet be ſold at no higher Rates than the Meats aforeſaid, under Penalty of forfeiting Twenty Pounds, current Money of this Iſland, for every time they ſhall take, aſk, or receive any higher Price: And if any Perſon or Perſons ſhall refuſe to ſell any Beef, Mutton, or Goat by Weight, he or they, for every ſuch Offence, ſhall forfeit Twenty Pounds, current Money of this Iſland.

Prices of Proviſions.

II. AND be it further enacted by the Authority aforeſaid, That any Perſon whatſoever that ſhall deſtroy any Turtle Neſts, or take away any of the Eggs thereof, upon any Bay or Place within this Iſland, where the Turtle ſhall lay, ſhall forfeit Forty Shillings, current Money of this Iſland, or receive ſo many Laſhes on the bare back as any Juſtice ſhall order, not exceeding Nine and thirty, for every ſuch Offence.

Penalty on Perſons deſtroying Turtle Neſts or Eggs.

III. THE one third Part of all the aforeſaid penal Sums of Money ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third to the Church-wardens, for the Uſe of the Pariſh; the other Third to the Informer; to be recovered in any Court of Record within this Iſland, by Bill, Plaint, or Information, in which no Eſſoin, Wager of Law, or Protection ſhall be allowed.

Application of Penal Forfeitures.

№°. 5. *An Act againſt Blaſphemy; and for preventing Diſorders in Alehouſes, Taverns, and Victualling Houſes.*

BE it enacted and ordained by the Governor, Council, and Aſſembly, and it is enacted and ordained by the Authority of the ſame, That no Perſon or Perſons whatſoever in this Iſland be enabled to have and receive any Licence or Licences from the Governor for the time being, to retail any ſtrong Liquors, unleſs they bring yearly Certificates under the Hands of Two of the Juſtices of the Peace, living in the ſame Precincts where the ſame Perſon keeps, or intends to ſet up his houſe of Entertainment; and have alſo given good Security in the Secretary's Office of One hundred Pounds, that he ſhall ſuffer no Diſorders to be committed in his ſaid Houſe, or any thing there done contrary to the Laws of *England*, or of this Iſland

No Licences to be granted for ſelling Liquors without Security given to ſuffer no Diſorders in his Houſe, *&c.*

II. AND that no Perſons whatſoever preſume to ſell *Rum*, or *Rum-Punch*, or any other Mixture of *Rum*, without Licence firſt obtained from the Juſtices in Seſſions, and Security given to the Clerk of the Peace of the ſaid Precincts, under the Penalty of Forty Shillings for every ſuch Offence.

III. PROVIDED always, and it is hereby further enacted and ordained, That whatſoever Perſon, ſo licenſed as aforeſaid, ſhall entertain or receive any one in their Houſes to tipple or drink in the time of *Divine Worſhip*, or Service, ſhall forfeit Twenty Shillings for every ſuch Offence; and the Perſon or Perſons there ſo found, ſhall pay each of them Five Shillings; both which Forfeitures ſhall be levied by Diſtreſs, by Warrant from any Juſtice of the Peace within this Iſland.

Penalty on permitting Tippling in Time of Divine Service,

IV. AND whoſoever ſhall, by publick and open Profaneneſs or Blaſphemy, diſhonour Almighty God, and be thereof duly convicted in the ſupreme Court of Judicature, ſhall be fined Twenty Pounds, current Money of this Iſland, or more, at the Diſcretion of the Court, for every ſuch Offence; and that ſuch as are either Servants, or not worth ſo much, ſhall be liable to ſuch corporal Puniſhment as the Judges ſhall think meet, Loſs of Life and Limb only excepted.

and on Blaſpheming,

V. AND it is further enacted, That if any of the ſaid Perſons ſo having received Licences as aforeſaid, ſhall keep or ſuffer any common Gaming in their Houſes, they ſhall forfeit Ten Pounds, current Money of this Iſland; and whoſoever ſhall by falſe Dice, or other Fraud or Deceit, win any Money or other Things, ſhall forfeit treble the Value thereof, being convicted by Verdict, Confeſſion, or otherwiſe; and that no Sum exceeding Forty Shillings, won at any Game, or betting on the Side of any, ſhall be recoverable; and all Bonds, Contracts, and Securities whatſoever, for above the Sum aforeſaid, won as aforeſaid, ſhall be void.

and common Gaming, *&c.*

VI. PROVIDED nevertheleſs, that nothing herein contained, ſhall be deemed or conſtrued to hinder or abridge any Maker of *Rum*, but that by himſelf, Servants, or others, he

Rum Makers excepted out of this Act.

he may vend and ſell the ſame pure and unmixed; any thing in this Act to the contrary in any wiſe notwithſtanding. 1681.

VII. PROVIDED alſo, That the aforeſaid Penalties, mentioned in this Act, and not declared where they ſhall be recovered, or how diſpoſed of, be one Half to our Sovereign Lord the King, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other to the Informer, who ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoin, Protection, Injunction, or Wager of Law ſhall be allowed. Penalties how to be diſpoſed of.

An Act impowering Juſtices of the Peace to decide Differences not exceeding Forty Shillings. N° 6.

WHEREAS many Inconveniencies may ariſe unto the Inhabitants of this Iſland, by being vexed and troubled with Suits at Law for ſmall and trivial Injuries, Debts, and Treſpaſſes, wherein the accuſtomary Fees and Charges uſually exceed the original Debt and Damages; for Prevention whereof, be it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all Manner of Debts, Treſpaſſes, and other Matters, not exceeding the Value of Forty Shillings, wherein the Titles of Lands are not concerned, ſhall and may be heard, adjudged, and determined by any of his Majeſty's Juſtices of the Peace of this Iſland, within their reſpective Precincts, without Appeal; which ſaid Juſtices are hereby required, upon Complaint made, to grant a Warrant or Summons againſt the Perſon complained of, thereby requiring him to appear and anſwer the ſaid Complaint; and in caſe of Non-appearance, to iſſue out a Warrant of Contempt, directed to the Conſtable, to bring the Contemnor before him, as well to anſwer the ſaid Contempt as the Plaintiff's Action; and may, if he ſee Cauſe, fine the Contemnor, provided the ſaid Fine exceed not Ten Shillings, to be for the Uſe of the Pariſh where ſuch Offence ſhall be committed; and after Judgement given in either Caſe, may grant a Warrant of Diſtreſs, directed to the Conſtable, to levy the ſaid Fine, Debt, Damages, and Charges upon the Defendant's Goods and Chattels, who, by Virtue thereof, ſhall expoſe the ſame to Sale, returning the Overplus, if any be, to the Defendant; and for want of ſuch Diſtreſs, to take the Defendant's Body into Cuſtody, and him carry and convey to the common Gaol of the Precincts, there to remain till he ſhall have ſatisfied the ſaid Debt and Charges. Debts, &c. not exceeding 40 *s.* ſhall be determined by the Juſtices.

II. AND it ſhall be lawful for the Juſtice of Peace to receive for each Warrant One Shilling and Three Pence, and no more; and for the Conſtable for ſerving of each Warrant, the like Sum, together with Six Pence for each Mile he ſhall be compelled to travel in Execution of the Premiſſes, provided the whole exceed not Five Shillings; and the Juſtice is hereby required to keep a Record of all ſuch Proceedings, under the Penalty of Ten Shillings; the one Half to be for the Poor of the Pariſh, and the other Half to the Informer; to be recovered as aforeſaid. The Fees of the Juſtice and Conſtable.

III. AND whereas the Uncertainty of the Expiration of Laws, heretofore made for the better Government of this his Majeſty's Iſland, may hereafter create ſome Doubts and Diſputes concerning the Validity of the ſeveral Judgements made and given by the ſeveral Judges and Juſtices of the Peace within this Iſland, as alſo all the Proceedings of the Military Officers upon the ſame; for Prevention whereof, be it further enacted and ordained by the Authority aforeſaid, That all and every Judgement and Judgements, made or given by any of the Judges or Juſtices of the Peace within this his Majeſty's Iſland, upon or by virtue of any of the aforeſaid Laws, and all other Proceedings whatſoever, and all and every Act or Acts, Thing or Things, done or acted thereupon, are hereby ratified, confirmed, and adjudged valid and lawful, to all Intents and Purpoſes whatſoever; and all and every Judge and Judges of the ſeveral Courts, the ſeveral Juſtices of the Peace, the Military Officers, and all other Perſons whatſoever within this his Majeſty's Iſland, that have any ways acted by or under the Authority of the aforeſaid Laws, or any of them, are hereby for ever ſaved and kept harmleſs, and indemnified againſt all manner of Perſons whatſoever; and if any Perſon ſhall be ſued, or any ways moleſted by reaſon thereof, it ſhall be lawful for him or them, ſo ſued or moleſted, to plead the general Iſſue, and give this Act in Evidence; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Confirmation of Judgements formerly given, &c.

An

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№° 7.

An Act rating Liquors ſold by Retale.

BE it enacted and ordained, by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from and after Publication hereof, all Vintners and Tavern-keepers, or any other Perſon or Perſons, who do, or ſhall utter or ſell, by way of Retale, *Madera* Wine or *Brandy*, and ſhall preſume by any Means, directly or indirectly, to take or receive above the Rates hereafter mentioned for the aforeſaid Liquors, *viz.* For *Madera* Wine, Fifteen Pence the Quart; and *Brandy*, Two Shillings and Six Pence the Quart, and ſo proportionably for a greater or leſſer Quantity, ſhall forfeit the Sum of Forty Shillings for every ſuch Offence; to be levied by Warrant from any of his Majeſty's Juſtices of the Peace of the Precincts where the Fault is committed, on the Goods and Chattels of any Perſon or Perſons ſo offending; the one Half of which Forfeiture ſhall be to the Church-wardens, for the Uſe of the Pariſh, the other to the Informer; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Prices of *Madera* Wine and *Brandy*.

№° 8. Private.

An Act for Compenſation of Mr. Nicholas Scarlet.

№° 9.

An Act for the reſtraining and puniſhing Privateers and Pirates.

WHEREAS nothing can more contribute to his Sacred Majeſty's Honour, than that ſuch Articles as are concluded and agreed on in all Treaties of Peace, ſhould by all his Majeſty's Subjects, according to their Duty, be moſt inviolably preſerved and kept in and over all his Majeſty's Dominions and Territories; and whereas, not only againſt ſuch Treaties of Peace made by his Majeſty with his Allies, but alſo contrary to his Majeſty's Royal Proclamation, ſeveral of his Subjects have, and do continually go off from this his Majeſty's Iſland of *Jamaica* into foreign Princes Services, and ſail under their Commiſſions, contrary to their Duty and good Allegiance, and by fair Means cannot be reſtrained from ſo doing; be it therefore enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That from and after Publication hereof, it ſhall be Felony for any Perſon which now doth, or within Four Years laſt paſt heretofore hath, or hereafter ſhall inhabit or belong to this Iſland, to ſerve in *America* in an hoſtile Manner, under any foreign Prince, State, or Potentate, or any employed under any of them againſt any other foreign Prince, State, or Potentate, in Amity with his Majeſty of *Great Britain*, without ſpecial Licence for ſo doing, under the Hand and Seal of the Governor or Commander in chief of this Iſland for the time being; and that all and every ſuch Offender or Offenders, contrary to the true Intent of this Act, being thereof duly convicted in his Majeſty's ſupreme Court of Judicature within this Iſland, to which Court Authority is hereby given to hear and determine the ſame, as other Caſes of Felony, ſhall ſuffer Pains of death, without Benefit of the Clergy.

Puniſhment of Perſons ſerving under any foreign State without Licence.

II. PROVIDED nevertheleſs, That this Act, nor any thing therein contained, ſhall extend to any Perſon or Perſons which now are, or have been, in the Service or Employment of any foreign Prince, State, or Potentate whatſoever, that ſhall return to this Iſland, and leave and deſert ſuch Service and Employment before the Firſt Day of *January* next enſuing, rendering themſelves to the Governor or Commander in chief for the time being, and give him ſuch Security as he ſhall appoint for their future good Behaviour; and alſo, that they ſhall not depart this Iſland without the Governor's Ticket.

Exception.

III. AND for the better and more ſpeedy Execution of Juſtice upon ſuch who have committed Treaſon, Piracies, Felonies, and other Offences upon the Sea, ſhall be apprehended in, or brought Priſoners to this Iſland, be it further enacted by the Authority aforeſaid, That all Treaſons, Felonies, Piracies, Robberies, Murders, or Confederacies committed, or that hereafter ſhall be committed upon the Sea, or in any Haven, Creek, or Bay, where the Admiral hath Juriſdiction, ſhall be enquired, tried, heard, determined, and judged within this Iſland in ſuch like Form, as if ſuch Offence had been committed in and upon the Land; and to that End and Purpoſe Commiſſions ſhall be had under the King's Great Seal of this Iſland, directed to the Judge or Judges of the Admiralty of this Iſland for the time being, and to ſuch other ſubſtantial Perſons, as by his Majeſty's Governor or Commander in chief of this Iſland for the time being ſhall be named or appointed; which ſaid Commiſſioners, or ſuch a *Quorum* of them as by ſuch Commiſſion ſhall be thereunto authorized, ſhall have full Power to do all Things in and about the Enquiry, Hearing, Determining, Adjudging, and Puniſhing of any of the Crimes and Offences aforeſaid, as any Commiſſioners to be appointed by Commiſſion under the Great Seal of *England*,

How Treaſons, &c. ſhall be puniſhed.

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England, by virtue of a Statute made in the Twenty-eight Year of the Reign of King *Henry* the Eighth, are impowered to do and execute within the Kingdom of *England*; and that the ſaid Offenders, which are or ſhall be apprehended in, or brought Priſoners to this Iſland, ſhall be liable to ſuch Order, Proceſs, Judgements and Execution, by virtue of ſuch Commiſſion to be grounded upon this Act, as might be awarded or given againſt them, if they were proceeded againſt within the Realm of *England*, by virtue of any Commiſſion grounded upon the ſaid Statute.

and all former Trials had upon them are hereby confirmed.

IV. And all Trials heretofore had againſt ſuch Criminal or Criminals before any Judge or Judges, by virtue of ſuch Commiſſion or Authority at any time heretofore granted, and all Proceedings thereupon, are hereby ratified, confirmed and adjudged lawful; and all ſuch Judges, with all and every the inferior Officers that have acted thereby, are hereby indemnified to all Intents and Purpoſes whatſoever; and in caſe they, or any of them, ſhall at any Time hereafter be ſued, vexed, moleſted, or troubled for any ſuch their Proceedings as aforeſaid, he or they ſo ſued, vexed, or moleſted, ſhall plead the General Iſſue, and give this Act in Evidence; any Law, Statute, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Commiſſion-Officers are to apprehend Pirates, &c.

V. Be it further enacted by the Authority aforeſaid, That all Commiſſion-Officers, in their ſeveral Precincts within this Iſland, are hereby required and impowered, upon his or their Knowledge, or Notice given, that any Privateers, Pirates, or other Perſons ſuſpected to be upon any unlawful Deſign, are in any Place within their reſpective Precincts, to raiſe and levy ſuch a Number of well-armed Men, as he or they ſhall think needful, for the ſeizing, apprehending, and carrying to Gaol all and every ſuch Perſon or Perſons; and in caſe of any Reſiſtance or Refuſal to yield Obedience to His Majeſty's Authority, it ſhall be lawful to kill or deſtroy ſuch Perſon or Perſons; and all and every Perſon or Perſons that ſhall oppoſe or reſiſt, by ſtriking or firing upon any of the commanded Parties, ſhall be deemed, taken, and adjudged as Felons, without Benefit of the Clergy; and every ſuch Officer that ſhall omit or neglect his Duty herein, ſhall forfeit Fifty Pounds, current Money of this Iſland, for every ſuch Offence; to be recovered in any of his Majeſty's Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, or Protection ſhall be allowed; one Moiety thereof to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer; and all and every Perſon or Perſons that, upon Orders given him or them, ſhall refuſe to repair immediately with his or their Arms well fixed, and Ammunition, to ſuch Place or Places as ſhall be appointed by the ſaid Officer, and not readily obey his Commands in the Execution of the Premiſſes, ſhall be liable to ſuch Fine, or corporal Puniſhment, as by a Regimental Court-Martial ſhall be thought fit.

Penalty on their Neglect of Duty.

Governor's Aſſent to this Act not to determine this Aſſembly.

VI. Provided further, That the Governor's Aſſent to the paſſing of this or any other Act, ſhall not extend, or be conſtrued to extend, to the determining of this preſent Seſſions of the Aſſembly.

An Act aſcertaining the Quit-Rents, and Manner of Receipt thereof.

№ 10.

Obſolete, but re-enacted by Act N° 114.

An Act for preventing Damages in Plantations, preſerving of Cattle, and regulating Hunting.

№ 11.

How Plantations ſhall be fenced in,

Be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That all Plantations bounding on *Savannas*, Highways, Watering-places, and all Paſtures made out of Wood-land, ſhall make ſufficient Fences; which ſufficient Fences ſhall be judged by Oath of Three Freeholders before any One of his Majeſty's Juſtices of the Peace; which ſaid Freeholders ſhall be choſen, one by the Party grieved, the other by the Owner of the Cattle, and the other by the Juſtice of the Peace; and if either of them do not appear, or refuſe to make their Choice, that then in ſuch Caſe the Juſtice ſhall name Two; and what Damage ſhall be done by any Stock in any Plantation ſo fenced as aforeſaid, the ſaid Damage to be appraiſed upon the Oath of the ſaid Freeholders, and the Owners of the ſaid Stock ſhall pay double the Damage ſo committed or done by their Cattle, Proof being made appear by the Oath of One or more; to be recovered before any Juſtice of the Peace, if not exceeding Forty Shillings; if above, in any Court of Record by Action of Debt.

and the Owners of them ſatisfied, if Cattle break into them.

Penalty on Perſons killing Cattle, &c.

II. And it is further enacted and provided by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall kill or deſtroy any Cattle, Horſe, Mare, Mule, or Aſinego; but he, ſhe, or they, who ſhall kill or deſtroy any of the aforementioned Stock, ſhall

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forfeit for each they ſhall kill or deſtroy the Sum of Fifteen Pounds current Money; to be recovered by Action of Debt in any Court of Record within this Iſland by the Owner or Proprietor of the ſaid Beaſt.

The Number of White Servants to be kept by Owners of neat Cattle.

III. AND it is further enacted by the Authority aforeſaid, That all Owners of neat Cattle ſhall keep one White Man at each reſpective Pen; and at all Pens whereunto belong above Two hundred Cattle, the Owner of ſuch Pen ſhall keep Two White Men, upon Pain of forfeiting Ten Pounds for every White Man that ſhall be wanting, as before, for the Space of Three Months; to be recovered in any Court of Record by Action of Debt; the one Half to the Pariſh, for the Uſe of the Poor, the other Moiety to the Informer, or him that ſues for the ſame.

Penalty on Perſons not penning their Cattle once in three Nights.

IV. AND it is further enacted by the Authority aforeſaid, That all Perſons and Owners of Cattle that ſhall fail to pen their Cattle once in Three Nights, at the leaſt, that all ſuch Cattle doing Damages, ſhall pay double the Damage; to be recovered as aforeſaid.

To whom ſtray Cattle ſhall belong, if not claimed in one Year.

V. AND it is further enacted by the Authority aforeſaid, That all Strays of any Sort of Cattle, wherever they ſhall be found and taken up, ſhall belong to the Proprietor of the Ground where they are accuſtomed to feed, provided the ſaid Proprietor cauſe the ſaid Stray or Strays to be cried by the Common Cryer Three diſtinct Court Days in the Court of the ſaid Precinct, deſcribing all the Marks of the ſaid Stray, with the Age and Kind. And further, That the ſaid Proprietors do turn looſe again the ſaid Stray, to continue in the ſame feeding Ground where the ſame was accuſtomed to feed, and tying a Withe about the Neck of the ſaid Stray (which ſhall be a common Mark for Strays) and in that Manner to continue One whole Year from the firſt taking up or penning of the ſame. Provided further, That if in the mean Time no Perſon ſhall challenge or claim the ſame, that then the Property of ſuch Strays remain to the Proprietor of the Ground, as before, they giving Satisfaction for taking up the ſaid Stray. Provided always, That this Act extend not to any ear-marked or burnt-marked Beaſt, Horſe, Mare, Colt, or any other Sort of Cattle, but all ſuch ſhall belong to the Owners or Proprietors of the ſame, if claimed at any Time after the Expiration of the Year.

Exception.

All Cattle to be tolled at the Time of Sale.

VI. IT is further enacted by the Authority aforeſaid, That the Clerks of each reſpective Court of Record in this Iſland are hereby impowered to make Entry, and toll any Sort of Cattle that ſhall be ſold from one Perſon to another, taking as near Deſcription of the ſeveral Marks, natural or otherwiſe, as can be, and vouched by Two ſufficient Perſons known by the Clerk; which Entry or Toll ſhall be good againſt any former Sale or Bargain, or any other Title whatſoever, except in all ſuch Caſes where the Provoſt Marſhal, or his Deputy, hath levied the ſame by Execution; and the Clerk of the ſaid Court ſhall take Twelve Pence for each ſuch Entry, and for keeping a Record of the ſame, and no more.

Penalty on Perſons ſmoaking in Plantations,

VII. AND it is further enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall preſume to carry any Fire, or ſmoak Tobacco in any *Savanna* or Plantation, or Highways whatſoever, under the Penalty of Ten Shillings for each Time they ſhall ſo offend, and be further liable to pay all Damages that ſhall accrue to any Perſon or Perſons by means of the ſame, to be recovered (if not exceeding Forty Shillings) before any Juſtice of the Peace; if exceeding Forty Shillings, by Action of Debt in any Court of Record within this Iſland; and if the Perſon ſo offending be not able to make Satisfaction, then the ſaid Perſon ſhall be whipped for every ſuch Offence, at the Diſcretion of any One Juſtice of the Peace. Provided, That this Clauſe extend not to Owners of Land, to carry Fire in their own Plantations, or burn their own *Savanna*; yet to be liable, as before, if thereby they injure or burn any other Perſons *Savannas* or Plantations; and that all Penalties for carrying of Fire ſhall belong to the Perſon that ſues for the ſame.

and on Perſons cauſing Mares to caſt their Young, *&c.*

VIII. AND whereas it is found by Experience, that ſeveral Common-drivers of Cattle, or Horſe-catchers, do frequently ride and drive Gangs of Mares and other Cattle from off their own feeding Ground or Paſture, whereby thoſe that are big caſt their Young, and young ones are often ſeparated from their Dams; and do likewiſe often deface the Marks of ſuch Cattle and Horſes, or new mark them for themſelves or others with wrong Marks, to the great Damage of all ſuch Proprietors; for Prevention whereof, be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall hereafter preſume to drive or ride in any *Savanna* as a common Horſe-catcher after any Horſes or Mares, without having firſt given Security for their Honeſty, and obtained Leave from the Proprietor or Proprietors of ſuch *Savannas*, or the major Part of them, under the Penalty of Twenty Pounds, to be recovered as aforeſaid; one Third Part whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges of the ſame; one Third Part to the Proprietor or Proprietors of ſuch *Savannas*, where the Offence ſhall be committed; the remaining Third to the Informer, or he that ſhall ſue for the ſame.

IX. AND it is further enacted by the Authority aforeſaid, That if any ſuch Common-driver or Horſe-catcher, or any other Perſon employed by or for him or them, ſhall preſume

preſume to ſell or barter any Horſe, Mare or Colt, or other Cattle, but ſuch as he ſhall bring Two ſufficient Freeholders of the Place where he doth inhabit, or other good ſufficient Evidence to vouch before the Clerk of ſome Court of Record within the Precincts where they ſhall be ſold or bartered as aforeſaid, that he bred them, or otherwiſe came lawfully poſſeſſed of them, under the Penalty of Fifty Pounds, to be recovered and diſpoſed of as aforeſaid. And whoſoever ſhall buy, barter or bargain with any ſuch known Horſe-catcher or Driver for any Cattle or Horſes, without the ſame be firſt vouched as aforeſaid, he, ſhe, or they ſo offending, ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Pounds, to be recovered and diſpoſed of as aforeſaid. 1681. Penalty on ſelling Horſes without two Vouchers, that he bred them, &c.

X. And it is further enacted by the Authority aforeſaid, That if any Driver or Horſe-catcher ſhall at any Time hereafter fraudulently or deſignedly put any falſe Burnt-mark, Ear-mark, or any other Marks, or deface any old Mark, he or they ſhall for ſuch Offence be guilty of Felony. or putting a falſe Mark on them,

XI. It is further enacted by the Authority aforeſaid, That no Perſon or Perſons that are Keepers or Owners of Goats, ſhall ſuffer their Goats to feed in any Perſon's Land except their own; and if any do ſuffer the ſame to feed in any Perſon's Land, it ſhall be deemed Treſpaſs, and the Owner of the Land ſhall recover in any Court of Record full Coſts of Suit in the ſaid Action, beſides what Damage ſhall be given by the Jury. and on ſuffering Goats to feed on another's Land.

XII. Be it further enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall be capable of Hunting with any Gang of Dogs in this Iſland that is not a Planter in it, and hath not at leaſt Five Acres of Land planted; and that any Perſon that ſhall preſume to hunt any Gang of Dogs within this Iſland, being not qualified as aforeſaid, ſhall forfeit for every ſuch Offence his Gang of Dogs, and the Sum of Ten Pounds *Sterling*, to be recovered in any Court of Record within this Iſland by Bill, Plaint, or Information; the one Moiety or Half Part of all ſuch Forfeitures ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for the Support of the Government and contingent Charges thereof; and the other Moiety ſhall be to the Informer, or any Perſon that ſhall ſue for the ſame. Penalty on Hunting without a Qualification,

XIII. And it ſhall not be lawful for any Planter or Planters in this Iſland to own any Hunting Gang of Dogs which ſhall not properly belong to themſelves, their Mates in Planting, or hunted by their Servants, under the Penalty of Ten Pounds *Sterling* for each Time he or they ſhall ſo offend; to be recovered in Manner and Form aforeſaid, and to be diſpoſed of as aforeſaid. or owning a Gang of Dogs which does not belong to him.

XIV. And it is further enacted and ordained by the Authority aforeſaid, That if any Hunting Gang of Dogs ſhall kill or maim any tame Stock belonging to any Planter or Perſon whatſoever, or do him or them any Prejudice or Damage, the Party ſo damnified, if the Damage amount to not above Forty Shillings, Satisfaction for the ſame ſhall be recovered by Warrant from any Juſtice of the Peace; but if it amount to more than Forty Shillings, the Perſon or Perſons ſo injured ſhall ſue for the ſame at common Law. Tame Stock killed by Dogs ſhall be paid for by the Owners of them.

XV. And if any Perſon ſhall kill or maim any Manner of tame Stock, as Sheep, Hogs, or Goats, either by Hunting or otherwiſe, and ſhall not forthwith diſcover the ſame to the next Juſtice or Conſtable, to the end the Damage may be known and recovered, as aforeſaid, ſuch Offender killing, maiming, or injuring any ſuch tame Stock, and not diſcovering it, as aforeſaid, ſhall pay Five Pounds for every Default, beſides Damages; to be recovered by the Party injured in any Court of Record. Penalty on Perſons killing tame Stock,

XVI. It is further enacted and ordained by the Authority aforeſaid, That no Perſon whatſoever ſhall hunt any Gang of Dogs within Four Miles of any Crawl or Settlement (except in his own Land, or Leave from the Proprietor of the ſame) upon Pain of Ten Pounds *Sterling*; and that no Perſon or Perſons whatſoever ſhall ſet any Snare or Engine in any Place whatſoever (his planted Ground only accepted) under Penalty of Forty Shillings for every Time any Perſon ſhall ſo offend in either of the Premiſſes; to be recovered as aforeſaid, and diſpoſed of as aforeſaid, and to pay all other Damages that ſhall accrue by the ſame. or hunting within 4 Miles of any Settlement, except his own.

An Act ſecuring the Purchaſers of Thomas Bunn's *Land in* Port Royal.

N° 12. Obſolete.

An Act encouraging the Importation of White Servants.

N° 13.

FORASMUCH as it is provided in an Act of this Country, intituled, *An Act for regulating Servants*, for the Strengthening and better Defence of this his Majeſty's Iſland, every Maſter and Owner of Salves ſhall have ſuch Quantity of White Servants proportionable to the Number of Slaves as is therein directed, and as by the ſaid Act doth more plainly appear; and to the Intent alſo all due Encouragement may be given Merchants, Maſters, and Importers of White Servants to bring the ſame, and may not then

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White Servants imported to be kept 10 Days before they are sold.

be discouraged, nor their Servants lie upon their Hands for want of Buyers, be it enacted by the Governor and Council, and Assembly, and it is hereby enacted by the Authority of the same, That no Merchant, Master, or Importer of White Servants, shall presume to sell any White Servant or Servants before they have been Ten Days imported, under the Penalty of Ten Pounds for every Servant so sold; the one Moiety to be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof; the other Moiety to the Informer; to be recovered by Bill, Plaint, or Information in any Court of Record within this Island, wherein no Essoin, Protection, or Wager of Law shall be allowed.

The Master of the Ship to be paid for their Diet.

II. PROVIDED nevertheless, That for the Ten Days after Importation of any such White Servants, as aforesaid, the Factor or Seller shall pay the Master for their Diet aboard the Ship; nor shall they be removed by the said Master from thence before the Ten Days be past, under the Penalty aforesaid; to be recovered and disposed of as aforesaid.

A Ship having 50 white male Servants on board, shall be free from Port-charges.

III. AND be it likewise enacted by the Authority aforesaid, That whatsoever Master or Commander of any Ship or Vessel that shall bring in or import into this Island to the Number of Fifty White male Servants, and due Proof upon Oath being thereof made before the Naval Officer (who is hereby impowered to administer the same) shall for that Voyage be altogether freed and exempted from paying any Port-charges for the said Ship or Vessel wherein the said Servants shall be imported; any other Custom or Law to the contrary notwithstanding.

How Debts contracted for Servants shall be recovered.

IV. AND be it further enacted by the Authority aforesaid, That any Debt or Debts contracted for any Servant or Servants sold within this Island, shall or may be recovered by Warrant from any Justice of the Peace in the same Manner as is provided in the Act, *impowering Justices of the Peace to decide Differences not exceeding Forty Shillings*; any Law, Custom, or Usage heretofore to the contrary notwithstanding.

Coopers using Slaves in their Trades forfeit 20*l.*

V. AND it is also hereby enacted by the Authority aforesaid, That from and after the Twenty-fifth Day of *March* next ensuing, no Person or Persons whatsoever, employing themselves in the Trades or Exercises of Coopers or Porters within this Island, shall use any Negro Slave or Slaves in their said Trades or Occupations, under the Penalty of Twenty Pounds for every such Offence; to be recovered and disposed of as aforesaid.

Exception.

VI. PROVIDED also, That nothing be herein construed to prohibit any Master or Owner of any Sugar-work within this Island from making Cask at their respective Plantations or other convenient Place, as heretofore; any thing in this Act to the contrary notwithstanding.

N° 14. *An Act for registering of Deeds and Patents.*

Deeds enrolled within three Months after executed, shall be valid, &c.

BE it enacted by the Governor, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That a Deed in due Form of Law made, and within Three Months after the Date thereof acknowledged by the Party or Parties that grant the same, or proved by the Oath of One sufficient Witness, or more, before the Governor or some One of the Judges of the Courts of this Island, and the same recorded at Length in the Office of Enrollments (which said Office shall always be kept at St. *Jago de la Vega*) within the said Three Months, shall be valid to pass the same without Livery, Seizin, Attornment, or any other Act or Ceremony in the Law whatsoever; and that no Deed hereafter made without such Acknowledgement, or Proof and Enrollment, shall be sufficient to pass away any Freehold or Inheritance, or to grant any Lease for above the Space of Three Years.

Exception.

II. PROVIDED nevertheless, That any old Deeds or Conveyances heretofore made on Lands or Houses, and omitted to be recorded upon being acknowledged or proved, and at any Time after the making hereof recorded in the said Office of Enrolments, shall be effectually valid and of Force; but if it shall happen that any second Bill of Sale or Conveyance for a valuable Consideration be made by the said Vendor or his Heirs for the same Land or Houses, or any Part thereof, and the same be duly executed and recorded, then it is hereby declared, that the last Vendee shall have and enjoy the said Land or Houses; any thing in this Proviso or otherwise to the contrary notwithstanding.

Clause in Favour of Vendees.

III. AND if any Vendee hath omitted to execute and enroll his Deed within the Time as aforesaid, but shall at any Time afterwards have done the same, no second Sale being made by the first Vendor, his Heirs or Executors, the same shall nevertheless be good to the said Vendee, his Heirs and Executors, and a perpetual Bar against the first Vendor, his Heirs and Executors; any thing in this Act, or any other, to the contrary notwithstanding.

IV. AND be it further enacted by the Authority aforesaid, That all Deeds and Conveyances granted and made out of this Island and remitted hither, being proved before the

the Governor, or any of the Judges of the Courts of Common-Pleas, as aforeſaid; and all thoſe Deeds and Conveyances where any Granter or Conveyancer ſhall perſonally appear in his Majeſty's Court held before the Lord Mayor and Alderman of the City of *London* for the time being, and ſhall then and there own and acknowledge ſuch Deed, Grant or Conveyance to be his Act and Deed, and an Atteſt thereof be made under the Seal of the Mayoralty of the ſaid City, and the ſame be recorded in the aforeſaid Office within Six Months of the Arrival of the Ship that brought the ſame, ſhall, to all Intents and Purpoſes whatſoever, be as valid as if the ſaid Deeds or Conveyances had been here made, acknowledged, proved and recorded according to the Form and Time herein before appointed. 1681. Deeds executed out of this Iſland, being properly atteſted, ſhall be as valid as if executed here.

V. PROVIDED nevertheleſs, That if any Perſon here lawfully impowered ſhall, in purſuance of that Power, make Sale of any Lands or Freehold to any Perſon whatſoever within this Iſland, and the Deeds thereof be duly proved and recorded, according to the true Meaning of this Act, before any Conveyance from the Proprietor or Proprietors of the ſame Land or Freehold, or any Part thereof, be here produced, proved and recorded, as aforeſaid; the ſaid Deed ſo made and paſſed here, ſhall ſtand good and effectual in the Law, to all Intents and Purpoſes whatſoever. Exception.

VI. AND it is hereby further enacted and ordained by the Authority aforeſaid, That any Mortgage of any Lands, Tenements, Real or Perſonal Eſtates whoſoever, within this his Majeſty's Iſland, having received full Satisfaction and Payment of all ſuch Sum and Sums of Money as are really due to him by ſuch Mortgage, ſhall, at the Requeſt of the Motgager, enter Satisfaction upon the Margin of ſuch Mortgage, recorded or to be recorded in the Office of Enrolment which ſhall for ever hereafter diſcharge, defeat and releaſe the ſame, and ſhall likewiſe perpetually bar all Actions brought or to be brought thereupon in any Court of Record within this Iſland; and if ſuch Mortgagee ſhall not, within Three Months after Requeſt, and Tender made for his reaſonable Charges, repair to the Office of Enrolments, and there make ſuch Acknowledgement as aforeſaid, he, ſhe, or they ſo refuſing, ſhall for every ſuch Offence forfeit and pay unto the Party or Parties aggrieved the Sum of Fifty Pounds, current Money of this Iſland; to be recovered in any of his Majeſty's Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoign, Wager of Law, or Protection ſhall be allowed. Penalty on Mortgagee's refuſing to acknowledge Satisfaction when he hath been paid what he lent.

VII. AND be it further enacted and ordained by the Authority aforeſaid, That it ſhall and may be lawful for the Judges before whom ſuch Acknowledgement of Deeds or other Writings are and ſhall be made, to demand and receive for every Deed of the Value of Twenty Pounds, or more, Ten Shillings; and for every Deed under the Value of Twenty Pounds, Five Shillings, and no more, under the Penalty of Twenty Pounds; the one Half to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Half to the Informer; to be recovered as aforeſaid. The Judges Fees.

VIII. AND be it further enacted by the Authority aforeſaid, That the Clerk of the Enrolments ſhall and may take and receive,

IX. FOR enrolling and copying an ordinary Deed, Grant, or Patent for one or more Parcels of Land, or any Deed or Conveyance, not exceeding the Length of ſuch Patent, Five Shillings. Clerk's Fees.

X. FOR every Deed exceeding the Length aforeſaid, Eight Pence *per* Sheet, accounting Twenty Lines to a Sheet, and Eight Words to a Line.

XI. FOR every ſhort Writing not exceeding the Length aforeſaid, Twelve Pence.

XII. FOR recording every Plot, One Shilling and Three Pence.

XIII. FOR ſearching the Record, Twelve Pence.

XIV. AND for acknowledging Satisfaction in the Margin of a Mortgage recorded, One Shilling and Three Pence, and no more, under the Penalty of Ten Pounds, to the Uſes and to be recovered as aforeſaid.

XV. AND be it likewiſe enacted by the Authority aforeſaid, That all Patents already granted, and not enrolled, ſhall be enrolled in the Office of Enrolments within Six Months; and all Patents hereafter to be granted, ſhall be enrolled within Six Months after the Sealing ſuch Patents; which Enrolments, as likewiſe all ſuch as are already there enrolled, ſhall be good and valid in the Law, notwithſtanding any Clauſe inſerted in the ſaid Patents directing the contrary. Within what Time Patents ſhall be enrolled.

XVI. AND whereas it is moſt manifeſt, that the Eſtates of ſeveral Orphans have been preſerved, and vaſtly improved, by being (during their Minority) leaſed out by their Guardians; and whereas it may be diſputable, whether ſuch Leaſes are warrantable by the Laws of *England*; be it therefore enacted and ordained by the Authority aforeſaid, That all Leaſes heretofore made or granted, or that hereafter ſhall be made or granted of the Eſtate of any Orphan, by the reſpective Guardian, for any Term of Years, not exceeding the Minority of ſuch reſpective Orphans, ſhall be good and valid in the Law; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Guardians may leaſe out Orphans Eſtates.

1681.

XVII. PROVIDED always, That this Act, or any thing therein contained, ſhall not extend to contradict or alter any Power given to, or to be given by the Patent to any Guardians, or to give Liberty for the future to any Guardian to leaſe out the Eſtate of any Heireſs for any longer Term or Time, than till ſhe ſhall complete the Age of Fourteen Years.

Clerk of the Enrolments to give Security for the faithful Execution of his Office.

XVIII. BE it likewiſe enacted and ordained by the Authority aforeſaid, That the Clerk of the Enrolments, or whoſoever ſhall execute the Office for the time being, do find Two ſufficient Sureties, with himſelf, to become bound to our Sovereign Lord the King, his Heirs and Succeſſors, in a Bond of the Penalty of Two thouſand Pounds, for the true and faithful Execution of the ſaid Office, and for keeping of the ſame in the Town of St. *Jago de la Vega*, as is herein before declared, and not elſewhere; which ſaid Bond ſhall be recorded in the ſupreme Court of Judicature within this Iſland, and be kept by the Chief Juſtice of the ſame for the time being, to be made uſe of according as is directed in an Act, intituled, *An Act impowering the Secretary to take Security*; and whoſoever, after Publication hereof, ſhall officiate in the ſaid Office before he hath given ſuch Security as aforeſaid, he or they ſo offending, ſhall forfeit the Sum of Five hundred Pounds, to be recovered by Bill, Plaint, or Information in any of his Majeſty's Courts of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed the Defendant; one Moiety whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Moiety to him or them that ſhall proſecute the ſame.

№ 15. *An Act for the Ferry betwixt St.* Catharine's *and St.* Andrew's.

Obſolete.

№ 16. *An Act impowering the Church-wardens of St.* Catharine's *to receive Twelve Pence* per *Ton for all Goods made up in Cask, that are landed on, or ſhipped from the Bridge at* Paſſage Fort, *for maintaining and repairing the ſame.*

WHEREAS it is evident, that the making and repairing the Bridge at *Paſſage Fort* hath been very chargeable to the Pariſh of St. *Catharine*, conſidering the ſaid Bridge is for the pulick Uſe of ſeveral Pariſhes; in Reſpect whereof ſome Care ought to be taken for eaſing the ſaid Pariſh of the great charge they are at in maintaining the ſame, and that the ſeveral Perſons that make uſe of the ſaid Bridge ſhould proportionably pay towards the doing of it; be it therefore enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authoity of the ſame, That from and after the making hereof, all Goods whatſoever, made up in Cask, and that are landed either upon or ſhipped from the ſaid Bridge, ſhall pay Twelve Pence *per* Ton, and ſo proportionably for a greater or leſſer Quantity.

Twelve Pence *per* Ton to be paid on all Goods landed at *Paſſage Fort* Bridge.

II. AND it is enacted by the Authority aforeſaid, That the Church-wardens of St. *Catharine*'s for the time being ſhall take Care that the Bridge be kept in ſufficient Repair; and in caſe of their neglect therein, that then the aforeſaid Church-wardens ſhall forfeit reſpectively Ten Pounds; one half thereof to the Informer, and the other Half to the Poor of the ſaid Pariſh; to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Church-wardens of St *Catharine*'s to keep the Bridge in Repair, *&c.*

and to appoint a Perſon to collect the ſame Duty, *&c.*

III. AND it is further enacted and declared by the Authority aforeſaid, That the Church-wardens of the ſaid Pariſh of St. *Catharine* are hereby impowered to appoint ſuch Perſon or Perſons as they ſhall think fit, for collecting the aforeſaid Duty, and to employ the ſame to the Uſe and Behoof of the aforeſaid Pariſh; and if any Perſon or Perſons ſhall refuſe to pay the aforeſaid Duty, it ſhall be lawful for ſuch Collector, as ſhall be appointed by the Church-wardens aforeſaid, to detain or keep in his Poſſeſſion the Goods of the Perſon or Perſons ſo refuſing, until he or they ſhall have ſatisfied the ſame, as it is before expreſſed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

№ 17. *An Act for confirmation of pious, charitable, and publick Gifts and Grants.*

TO the Intent that pious, charitable, and publick Gifts and Grants, ſo neceſſary in new Colonies to be encouraged and made good, may not be defeated, but may take Effect, according to the true Intent and Meaning of the Donor or Donors, Deviſor or Deviſors,

Deviſors, notwithſtanding any Incapacity in the Grantee or Deviſee, or thoſe to whoſe Uſe the ſame is granted or deviſed: Be it therefore enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That for and during the Term and Time of Twenty Years next enſuing, all Gifts, Grants, Conveyances, and Deviſes of any Houſes, Lands, Tenements, Rents, Goods, or Chattels, to any good, pious, charitable, or publick Uſe or Uſes, as for the Maintenance of lawful Miniſters, erecting or maintaining of Churches, Chapels, Schools, Univerſities, Colleges, or other Places for Education of Youth, or Maintenance of Men of Learning, or any Alms-houſes or Hoſpitals, or any other Uſes whatſoever, heretofore made and hereafter to be made within the Time aforeſaid, be and are hereby for ever confirmed and made good, according to the true Intent and Meaning of the Donor or Donors, Grantor or Grantors, Deviſor or Deviſors; the Statute of *Mortmain*, or any other Statute, Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1681.

Grants of Lands, &c. to pious Uſes, are hereby confirmed.

II. PROVIDED nevertheleſs, and it is hereby enacted and ordained, That no Gifts, Grants, or Deviſe to any Perſon or Perſons whatſoever for any ſuperſtitious Uſe, or for Maintenance of any Miniſter or Teacher whatſoever, other than ſuch as are lawfully ordained and allowed of by the Church of *England*, be hereby confirmed and made good; any thing herein, or in any other Act ſeeming to the contrary in any wiſe notwithſtanding. Exception.

An Act declaring it High Treaſon to counterfeit His Majeſty's Broad Seal of this Iſland. № 18.

FORASMUCH as by the Laws of this Iſland, no due and condign Puniſhment hath been heretofore provided for ſuch as falſify, forge, or counterfeit His Majeſty's Broad Seal of this Iſland, by reaſon whereof divers evil-diſpoſed Perſons may be emboldened to perpetrate and commit the ſaid Offence, to the Diſhonour of His Majeſty, and the diſinheriting of many of His Majeſty's good Subjects: For Prevention whereof, be it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That whoſoever ſhall at any time hereafter, falſify, forge, or counterfeit His Majeſty's Broad Seal of this Iſland, that every ſuch Offence ſhall be deemed and judged High Treaſon, and the Offender or Offenders therein, their Counſellors, Aiders, Abetters, or Concealers, being legally convicted thereof, by the Oaths of Two lawful and credible Witneſſes upon Trial, or otherwiſe; then every ſuch Perſon and Perſons ſo offending as aforeſaid, ſhall be deemed, declared, and adjudged to be Traitors, and ſhall ſuffer and have ſuch Pains, Penalties, and Forfeitures, as in like Caſes is ordained by the Laws and Statutes of His Majeſty's Kingdom of *England*.

Penalty on Perſons counterfeiting the Broad Seal of this Iſland.

An Act for clearing Rio Cobre *above and below* Caymanas. № 19. Expired.

An Act for regulating Building, and preventing Fire. № 20.

BE it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That no Perſon whatſoever preſume to build any Houſe at *Port Royal* within Thirty Foot of the High Water Mark; and then when any Houſe or Houſes are already built, or hereafter ſhall be built on the Harbour Side nearer than Thirty Foot of the High Water Mark (the Wherry Place only excepted) ſuch Houſe or Houſes ſo built or to be built, ſhall and are hereby adjudged, deemed, and taken to be publick Nuſances; and the Proprietor or Proprietors of the ſame ſhall cauſe ſuch Houſe or Houſes built thereon, to be taken down and removed within Six Months after Conviction thereof, or otherwiſe build or cauſe to be built, within Six Months, a ſtrong ſubſtantial Wharf, ſo as the ſame may make a firm Paſſage or Way of Thirty Foot from the High Water Mark.

No Houſe ſhall be built at *Port Royal* within Thirty Foot of High Water Mark, &c.

II. PROVIDED, That no Houſe ſhall be built farther Northward on the Harbour than Major *Samuel Bach* and Captain *Anthony Swimmer* on any Land, wharfed or to be wharfed out between Fort *James* and Fort *Carliſle*; but that all Land ſo made out of the Harbour, or to be made, ſhall remain unbuilt on.

nor any built farther Northward than Major *Samuel Bach*'s Houſe, &c.

III. AND be it further enacted and declared by the Authority aforeſaid, That when any Fire ſhall happen to break out, either at *Port Royal*, or any other Town already built, or which hereafter ſhalt be built within this Iſland, that Two or Three of the chief Military or Civil Officers of the ſame Town or Pariſh, ſhall or may, and hereby are impowered to give all ſuch Directions for the pulling down or blowing up any ſuch Houſe or Houſes that ſhall be by them adjudged meet to be pulled down or blown up, for the ſtopping and preventing the further ſpreading of the ſame; and if it ſhall happen, that the pulling down or blowing up any ſuch Houſe or Houſes by the directions aforeſaid, ſhall

Officers impowered to pull down or blow up any Houſe to prevent the ſpreading of Fire, &c.

1681. ſhall be the Occaſion of ſtopping the ſaid Fire, or the Fire ſtops before it comes to the ſame, then all and every Owner of ſuch Houſe or Houſes ſhall receive Satisfaction, and be paid for the ſame by the reſt of the Inhabitants, whoſe Houſes ſhall not be burnt, who are hereby impowered to make ſuch Rate or Rates for the raiſing and levying ſuch Sum and Sums of Money as ſhall be thought convenient by the Juſtices and Veſtrymen of the Pariſh.

Exception. IV. PROVIDED always, That if that Houſe where the Fire ſhall firſt begin and break out ſhall be adjudged fit to be pulled down, to hinder the further Spreading and Increaſe of the ſame, that then the Owners of ſuch Houſe ſhall receive no Manner of Satisfaction for the ſame; any thing in this Act, or any other Act to the contrary notwithſtanding.

Penalty on Land-owners on the South of *Port Royal* not keeping their Wharfs, &c. in Repair. V. AND whereas it may be doubted, that the Sea may encroach upon the Southward Part of the Town of *Port Royal*; for the Prevention whereof, be it enacted by the Authority aforeſaid, That all Proprietors or Owners of Land or Houſes, their Factors, Agents, Attornies, and Guardians of children, or any Perſons employed by them, or any of them, that are intereſted on the Southermoſt Part of *Port Royal*, from Fort *Rupert* to the Houſe and Land now inhabited by one *Edward Watkins*, and known by the Sign of the *Blue Bell*, be hereby enjoined and obliged by this Act, within Twelve Months after Publication hereof, ſubſtantially to wharf out and ſecure, and keep ſecured their reſpective Proportions of Land joining on the Sea, with ſubſtantial Wharf of laſting Timber, at leaſt One Foot into the Sea, under the Penalty of Ten Pounds current Money of this Iſland, for every Year any ſuch Perſon or Perſons ſhall neglect the ſame; one Third Part thereof to our Sovereign Lord the King, His Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof; one Third Part to the Church-wardens of the Pariſh of *Port Royal* for the time being; for the Uſe of the Poor; and the other Third Part to the Informer, or he that ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Clauſe in Favour of ſuch Owners. VI. AND that the Owners or Proprietors of ſuch Land or Houſes, as aforeſaid, may be the better encouraged to wharf out, as is before appointed, the Street now called the *Church Street* ſhall be no more deemed, accounted, or taken for a Street, but ſhall be added or annexed to each Propriety and Freehold, in Proportion to their reſpective Intereſt bounding upon the ſame; for which Conſideration they are hereby obliged to leave a Paſſage at leaſt Eighteen Foot open to the Sea.

Exception. VII. PROVIDED, That nothing in any Clauſe of this Act ſhall permit and ſuffer any Perſon or Perſons whatſoever to build any Houſe nearer to the Church on the South Side than what are already built for the whole Length of the Church aforeſaid.

Penalty on Perſons digging Ballaſt out of *Port Royal* Key, &c. VIII. AND be it further enacted by the Authority aforeſaid, That no Perſon or Perſons do fetch, or cauſe to be fetched in any Boat, Veſſel, or Canoe, from the Riffs or Shoals, or dig up any Stones below High Water Mark, from the Eaſtermoſt and Southermoſt Parts of any of the Keys lying off *Port Royal*; and that no Stones, ſmall or great, be fetched or taken up for Ballaſt, or any other Uſe, from the Eaſtermoſt Side of the Point on *Port Royal*, ſo far as *Plum-Point*, on Penalty of Ten Pounds for every ſuch Offence; and that no Commander and Maſter of any Ship or Veſſel caſt or hoiſt out any Ballaſt overboard into the Water within the Harbour of *Port Royal*, or any other Harbour or Bay, upon the Penalty of Twenty Pounds for every ſuch Offence.

or laying up Veſſels there. IX. AND be it further enacted, That no Wrecks be laid up within the Harbour of *Port Royal*; or if any ſuch decayed Veſſel or Wrecks ſink in the Harbour by Neglect of the Owner or Owners, Poſſeſſor or Poſſeſſors of the ſame, and not removed within One Month after the ſinking thereof, the ſaid Owner or Owners, Poſſeſſor or Poſſeſſors of the ſame, ſhall forfeit Twenty Pounds for every Month ſuch Veſſel ſhall ſo lie.

Diſpoſition of Forfeitures. X. PROVIDED alſo, That the ſeveral Fines, Forfeitures, and Penalties before mentioned in this Act, and not declared where they ſhall be recovered, and how diſpoſed of, be one Third to our Sovereign Lord the King, His Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and contingent Charges thereof; one Third to the Church-wardens, for the Uſe of the reſpective Pariſhes, and one Third to the Informer; to be recovered by Action of Debt in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

XI. AND foraſmuch as great and divers Complaints are daily made by Maſters and Commanders of Ships and Veſſels trading to this Iſland, that upon their Ships or other Veſſels coming into any Harbour of the ſame, the Seamen belonging to the ſaid Ships or Veſſels do run on Shore, inſomuch that they have not left on Board a ſufficient Number of Men to watch the ſaid Ships or Veſſels; be it therefore enacted and ordained by the Authority aforeſaid, That all and every Perſon or Perſons that ſhall receive or entertain any Seaman or Seamen belonging to any trading Ships or Veſſels riding in any Harbour of this Iſland, after the Ship's Bell ringing to ſet Watch at Eight of the Clock at Night; every

every ſuch Perſon or Perſons receiving or entertaining of every ſuch Seaman as aforeſaid, ſhall forfeit for the Entertainment of every ſuch Seaman the Sum of Forty Shillings, one Half to the Poor of the Pariſh where the Offence is or ſhall be committed, and the other Half to the Maſter or Commander that ſhall proſecute for the ſame; to be recovered by a Warrant from a Juſtice of the Peace, as in Caſes of Debt not exceeding Forty Shillings.

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Penalty on Perſons entertaining Seamen after the Ship's Bell has rung.

An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches. No. 21.

FOR raiſing a convenient Maintenance for the Miniſters and Poor, and erecting and repairing of Churches within this Iſland, be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That the reſpective Juſtices of every Pariſh within this Iſland, or any Two of them, ſhall every Year iſſue out their Warrants to the Conſtables and Tythingmen, to ſummons the Freeholders of that Pariſh together on the ſecond *Tueſday* in *January*, for the chuſing of Ten Veſtrymen and Two Church-wardens, ſuch as ſhall conform to the Church of *England*; and if they ſhall neglect to iſſue their Warrant, ſo as the Election be not made that Day, they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland; and in caſe the ſaid Freeholders, duly ſummoned as aforeſaid, ſhall not appear, or appearing, do not chuſe the ſaid Ten Veſtrymen and Two Church-wardens, that then, in their Default, the ſaid Juſtices ſhall, within Ten Days after the ſaid ſecond *Tueſday* in *January*, or any Day after, as to them ſhall ſeem convenient, lay a reaſonable Tax on the ſaid Pariſh, for the Maintenance of the Miniſter and Poor, and for erecting convenient Churches, and repairing ſuch as are already made, and making convenient Seats in them; and if the ſaid Juſtices and Veſtrymen ſhall neglect their Duty herein, they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland.

Juſtices to ſummon Freeholders to chuſe Ten Veſtrymen, and Two Church-wardens, &c.

How Miniſters ſhall be maintained.

II. And be it further enacted and ordained by the Authority aforeſaid, That ſuch of the Juſtices and Veſtrymen that ſhall not be preſent at the Time appointed to make the ſaid Taxes, and thereof be convicted by a Certificate under the Hands of ſuch as do appear, and have no ſufficient Excuſe for the ſame, ſhall reſpectively forfeit Five Pounds, current Money of this Iſland; and a Roll of the ſaid Tax ſo made, ſhall be delivered into the Hands of the reſpective Conſtables of the ſaid Pariſhes, with a Warrant under the ſame, ſigned by any Two Juſtices of the Peace, impowering him or them to levy the ſaid Tax, and upon Refuſal, to diſtrain and ſell by publick Outcry, and pay the ſame into the Hands of the Church-wardens, retaining to himſelf Twelve Pence *per* Pound for levying thereof; and if any Perſon ſhall refuſe to pay what he is ſo aſſeſſed, and the ſaid Conſtables diſtrain for the ſame, all his Charges ſhall be paid him, with ſuch further Allowance for his Pains, as the ſaid Juſtices, or any of them, ſhall judge reaſonable; and if the ſaid Juſtice or Juſtices ſhall neglect to iſſue the ſaid Warrant, he or they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland; and if the ſaid Conſtables, or any of them, fail of their Duty herein, they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland; and the Church-wardens ſo choſen ſhall undertake the ſaid Office, and receive and keep a good Account of the Monies or Goods levied by virtue of this Act, and the ſame iſſue by Order from the ſaid Juſtices and Veſtrymen of the Pariſhes, for the Purpoſes and Intents aforeſaid; and the Church-wardens ſhall, as often as thereunto required, yield and give a juſt and true Account unto the Juſtices and Veſtrymen of all their Receipts and Diſburſements; and in caſe the ſaid Church-wardens, or any of them, ſhall neglect their Duty herein, they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland, for every Refuſal.

Penalty on Juſtices and Veſtrymen abſenting themſelves from the Veſtry appointed to make the Tax, &c.

III. And be it further enacted and ordained by the Authority aforeſaid, That the reſpective Juſtices of the Pariſhes of St. *Dorothy* and St. *Thomas* in the Vale, or any Two of them, ſhall every Year iſſue out their Warrants to the Conſtables and Tythingmen, to ſummon in the Freeholders of the ſaid Pariſhes the ſecond *Tueſday* in *February*, for the chuſing of Ten Veſtrymen and Two Church-wardens as aforeſaid; and that the ſaid Juſtices and Veſtrymen, or the major Part of them, are hereby impowered to lay on the Pariſhioners a reaſonable Tax, over and above the Rate impoſed on them by virtue of this Act, by the Juſtices and Veſtrymen of the Pariſh of St. *Catharine*, provided it exceed not One hundred Pounds, current Money of this Iſland, for and towards the building and erecting Churches, and making convenient Seats in them, in their reſpective Pariſhes, and to no other Uſes whatſoever; and that whatſoever Rate or Rates hath been already aſſeſſed by the Juſtices and Veſtrymen of the Pariſh of St. *Dorothy* upon their Pariſhioners, or any other Perſon or Perſons having Land, Goods, or Stock within the ſaid Pariſh, is hereby ratified, confirmed, and declared lawful; any Clauſe in this Act ſeeming to the contrary notwithſtanding.

Two Church-wardens, and Ten Veſtrymen to be choſen for the Pariſhes of St. *Dorothy* and St. *Thomas*, &c.

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IV. A ROLL of any Taxes ſo made ſhall be delivered into the Hands of the reſpective Conſtables of each Pariſh, with a Warrant under the ſame, ſigned by any Two of the Juſtices, impowering him or them to levy the ſaid Tax, and upon Refuſal to diſtrain and ſell by publick Outcry, as aforeſaid; any thing in this Act ſeeming to the contrary notwithſtanding.

By whom Tax-Rolls ſhall be ſigned,

and Arrears of Taxes recovered.

V. AND be it further enacted and ordained by the Authority aforeſaid, That the Juſtices and Veſtrymen of each Pariſh have full Power to enquire into Arrears of former Subſcriptions and Taxes, and to levy the ſame Arrears by Warrant from the Juſtices to the Conſtables aforeſaid.

Miniſter to take no Fee but what is allowed by the Veſtry.

VI. AND that the Miniſter demand no Fee in his own Pariſh for Chriſtenings, Marriages, Churchings, or Burials, under the Penalty of Five Pounds for every Offence, unleſs ſuch as the Juſtices and Veſtrymen ſhall allow; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: The one Half of all which Forfeitures ſhall be to the Poor of the Pariſh, and the other Moiety to him or them that ſhall ſue for the ſame in any Court of Record within this Iſland.

Where no Diſtreſs can be made on Perſons taxed, an Action may be brought,

VII. AND foraſmuch as many Perſons, who may, by virtue of this Act, and the Acts for mending and repairing the Highways, be taxed, and have nothing in the Pariſh where they are taxed, upon which any Diſtreſs may be made, it is therefore enacted and ordained by the Authority aforeſaid, That in ſuch Caſes, from and after the making hereof, an Action of Debt ſhall lie in any Court of Record, or before any Juſtice of the Peace, as in other Debts, for the ſeveral Church-wardens and Surveyors of each reſpective Pariſh, and their Succeſſors, to recover againſt any of the ſaid Perſons rated or aſſeſſed by virtue of this Act, or any of them, or their Agents or Attornies here, all ſuch Sum and Sums of Money as are or ſhall be rated or aſſeſſed upon them as aforeſaid.

and producing the Aſſeſſment in Court, ſhall be ſufficient Evidence, &c.

VIII. AND that the ſame Rate or Aſſeſſment, produced in ſuch Court of Record, or before ſuch Juſtice of the Peace as aforeſaid, ſhall be ſufficient Evidence and Proof for the Recovery of all ſuch Sum or Sums of Money ſo rated or aſſeſſed as aforeſaid: Provided nevertheleſs, and it is the true Intent and Meaning hereof, That no Juſtice of the Peace and Veſtrymen ſhall have Power to aſſeſs any ſuch Perſon or Perſons as aforeſaid, above the Sum of One Shilling *per Annum*, for every hundred Acres of Land, and ſo proportionable for a greater or leſſer Quantity.

Perſons overrated, may appeal to Quarter-ſeſſions.

IX. AND it is hereby further enacted and ordained by the Authority aforeſaid, That any Perſon or Perſons, aggrieved or rated in any ſuch Aſſeſſment or Tax, have hereby Liberty granted to appeal to the Juſtices ſitting in the Quarter-ſeſſions in their reſpective Precincts in this Iſland; provided that ſuch Appeal to them be made at the firſt or ſecond Quarter-ſeſſions after ſuch Taxes made, and not afterwards; and that there it appearing to the ſaid Juſtices, that he, ſhe, or they were over-rated, taxed, or aſſeſſed, the ſaid Juſtices are hereby authorized and impowered, if they find him, her, or them ſo overrated or aſſeſſed, to eaſe him, her, or them, as to their Diſcretion ſhall ſeem meet; but that no Appeal ſhall lie further, or to any other Court or Place in this Iſland, for any Tax or Rate made or aſſeſſed by the Juſtices and Veſtrymen of each reſpective Pariſh in this Iſland; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

A Book to be provided,

X. AND be it further enacted and ordained by the Authority aforeſaid, That the Church-wardens of each reſpective Pariſh within this Iſland do buy, or cauſe to be bought, one fair well bound Book, wherein the Miniſter, and in caſe there be no Miniſter there reſident, the reſpective Church-wardens, upon Notice thereof given by the Maſters of the ſeveral Families, who are hereby required to give ſuch Notice, under the Penalty of Five Pounds, ſhall regiſter, or cauſe to be regiſtered, by the Clerk of the Veſtry of that Pariſh, the Times of the Births, Chriſtenings, Marriages, and Burials of all ſuch Perſon or Perſons that ſhall from time to time be born, chriſtened, married, or buried within the ſaid Pariſh, under the Penalty of Five Pounds for every ſuch Default; and that the ſaid Clerk, or Perſon that ſhall regiſter the ſame, ſhall have and receive as a Fee for each Entry, Fifteen Pence, and no more.

wherein all Chriſtenings, &c. ſhall be regiſtered;

which Book ſhall be deemed a Record in all Courts, &c.

XI. AND it is hereby further enacted by the Authority aforeſaid, That all ſuch Entries duly made and kept as aforeſaid, ſhall at all Times hereafter be deemed, judged, and taken as an authentick Record of all ſuch Births, Chriſtenings, Marriages, and Burials, and in all and every the Courts of Record in this Iſland; but if any Perſon hereby authorized to make ſuch Entry, or any other whatſoever, ſhall make, or cauſe to be made, any falſe Entry, or ſhall raze out or imbezil any Entry, or Books of Entry, he or they ſo offending ſhall be proceeded againſt, and puniſhed in Manner and Form as the Laws of *England* provide againſt ſuch as ſteal, raze, or imbezil Records; the one Moiety of all which Forfeitures or Penalties, or any other mentioned in this Act, and not directed how to be diſpoſed of, ſhall be to the Poor of the Pariſh where the Fault is committed; the other Moiety or half Part to the Informer; to be recovered by Bill, Plaint, or Information, in any of his Majeſty's Courts of Record in this Iſland, wherein no Wager of Law, Eſſoin, Protection,

tection, or Injunction ſhall be allowed; any thing in this Act, or any other Act to the contrary in any wiſe notwithſtanding. 1681.

XII. And be it further enacted and ordained by the Authority aforeſaid, That the Pariſh of *Port Royal* do allow and pay unto the Miniſter thereof Two hundred and fifty Pounds *per Annum* of current Money of this Iſland; and that the Pariſh of St. *Catharine* do allow and pay unto the Miniſters thereof One hundred and forty Pounds of the like Money *per Annum*, and not leſs; and that the Pariſh of St. *Thomas*, St. *Andrew*, and St. *John* do allow and pay unto their reſpective Miniſters One hundred Pounds of like Money *per Annum*; and that all the other Pariſhes within this his Majeſty's Iſland, that either have or ſhall have a Miniſter, do allow and pay Eighty Pounds current Money, and not leſs, as a conſtant yearly Salary, for the Support and Maintenance of every of their Miniſters, to be paid at their reſpective Dwelling-houſes every Six Months, without any Charge or Defalcation, by equal Portions; and none to be capable of being preſented to the ſaid Benefices, or receiving the Profits of the ſame, unleſs they produce due Teſtimonials that they are qualified according to the Canons of the Church of *England*, by having taken Deacon and Prieſt's Orders, and the ſaid Teſtimonials to be recorded in the Secretary's Office.

The annual Sums to be paid the Miniſters of the ſeveral Pariſhes, &c.

XIII. And be it further enacted and declared by the Authority aforeſaid, That no Miniſter not duly qualified as aforeſaid, preſume to marry any Perſon or Perſons whatſoever, under the Penalty of One hundred Pounds current Money of this Iſland; one Third thereof to our Sovereign Lord the King, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof; one Third to the Poor of the Pariſh where the Offence ſhall be committed, and the other Part to him or them that ſhall ſue for the ſame in any of the Courts of Record within the this Iſland; and that no Miniſter preſume to marry any Perſons whoſe Banns have not been publiſhed Three times in their Pariſh Church, or have a Licence from the Governor or Commander in Chief for the time being, authorizing him thereunto, under the like Penalty, and to the ſame Uſes; to be recovered as aforeſaid, or Twelve Months Impriſonment.

Penalty on any diſqualified Miniſter marrying any Perſon.

XIV. Provided always, and it is the true Intent and Meaning of this Act, That no Eccleſiaſtical Law or Juriſdiction ſhall have Power to enfore, confirm, or eſtabliſh any penal Mulcts or Puniſhment in any Caſe whatſoever; any thing in this Act, or any other, to the contrary notwithſtanding.

Exception.

XV. And whereas this Iſland in the Twenty ninth Year of His Majeſty's Reign, by an Act of this Country, was divided into Fifteen Pariſhes, which were called, diſtinguiſhed, and known by ſeveral Names hereafter mentioned; that is to ſay, St. *Thomas*, St. *David*'s *Port Royal*, St. *Andrew*'s, St. *Catharine*'s, St. *Dorothy*'s, St. *Thomas in the Valley*, *Clarendon*, *Vere*, St. *John*'s, St. *George*'s, St. *Mary*'s, St. *Anne*'s, St. *James*'s, St. *Elizabeth*'s; be it therefore enacted and ordained by the Authority aforeſaid, That all and every of the ſaid ſeveral Pariſhes reſt, remain, and for ever hereafter be diſtinguiſhed and known by the aforeſaid reſpective Names, and by no other whatſoever; any thing in this, or any other Law to the contrary notwithſtanding.

The Names of the Pariſhes.

An Act aſcertaining the Value of Foreign Coins, and eſtabliſhing Intereſt. N° 22.

BE it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That each ſingle *Spaniſh Dubloon*, or *French Piſtole*, ſhall be current, and paſs for Twenty Shillings current Money; each ſingle Piece of *Sevil*, *Mexico*, or *Piller*, and each *French Crown*, at Five Shillings current Money; a *Peru* Piece of Eight, at Four Shillings; and all Monies whatſoever of thoſe Coins aforeſaid, ſhall in all Payments whatſoever be proportionably rated; any Law, Cuſtom, or Uſage to the confrary notwithſtanding.

What Coins are current, and their Value.

This Clauſe is repealed by the Act 6 Anne.

II. That whoſoever ſhall for baſe Lucre, by any Way or Means, coin, falſify, impair, diminiſh, ſeal, waſh, clip, file, or lighten any of the money aforeſaid, or any other Money current in this Iſland, ſhall be guilty of High Treaſon; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on debaſing them.

III. And it is further enacted and declared by the Authority aforeſaid, That from and after the Twentieth Day of *July*, in the Year of our Lord One thouſand ſix hundred eighty and one, no Perſon or Perſons whatſoever, upon any Contract made or to be made, ſhall, directly or indirectly, take for the Loan of any Monies above the Value of Ten Pounds current Money, for the Forbearance of One hundred Pounds current Money, for one Year, and ſo after the Rate for a greater or leſſer Sum, for a longer or ſhorter Time; which ſaid Intereſt is hereby declared to be only recoverable upon penal Bonds and Mortgages.

No Perſon to take above 10*l.* *per Cent.* for Intereſt.

IV. That

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And all Securities given for Money lent at a greater Intereſt are void.

IV. THAT all Bonds, Contracts, and Aſſurances whatſoever, made hereafter for the Payment of any Principal Money to be lent on Uſury, whereupon or whereby there ſhall be received or taken above the Rates of Ten Pounds current Money in the Hundred as aforeſaid, ſhall be utterly void; and that all and every Perſon or Perſons whatever, who ſhall hereafter, upon any Contract to be made, take, accept, or receive, by any Way or Means, or corrupt Bargain, Loan, or Exchange, Shift, or Intereſt of any Monies, or by Deceit, or other fradulent Conveyances, for Forbearance, or giving Day of Payment for one whole Year, or in Proportion, for a longer or ſhorter Time for their Monies, above the Sum of Ten Pounds current Money aforeſaid, ſhall forfeit and loſe for every ſuch his or their Offence treble the Value of the Money lent or bargained for by any Way or Means whatſoever; one Moiety of which Forfeitures ſhall be to our Sovereign Lord the King, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof; the other Moiety to him or them that ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

A Standard appointed for Gold and Silver Wares;

V. AND whereas ſeveral evil-diſpoſed Goldſmiths deceitfully do make and ſell Plate and other Gold and Silver Wares, to the great defrauding of his Majeſty's Subjects of this Iſland; for Remedy whereof, be it enacted by the Authority aforeſaid, That no Goldſmith, or Worker in Gold or Silver within this Iſland, from and after the Firſt Day of *Auguſt*, in the Year of our Lord one thouſand ſix hundred eighty and one, ſhall work, ſell, exchange, or cauſe to be wrought, ſold, or exchanged, any Plate, or other Goldſmiths Wares of Gold, leſs in Fineneſs than Twenty two Carrats; and that from the Time aforeſaid, no Goldſmith, or Worker in Gold or Silver, ſhall make, ſell, or exchange in any Place within this Iſland, any Plate, or Goldſmiths Wares of Silver leſs in Fineneſs than that of Eleven Ounces Two penny Weight; and that no Goldſmith, or Worker in Gold or Silver, ſhall preſume to put to Sale, exchange, or ſell any Plate of Goldſmiths Work of Gold or Silver, before he hath ſet his own Mark to ſo much thereof as may conveniently bear the ſame, upon Pain of forfeiting the Value of the Thing ſo ſold or exchanged.

and Perſons ſelling Wares of leſs Fineneſs, ſhall forfeit treble the Value.

VI. AND be it further enacted by the Authority aforeſaid, That whatſoever Goldſmith, or Worker in Gold or Silver as aforeſaid, from and after the Firſt Day of *Auguſt*, ſhall preſume to ſell or exchange any Gold or Silver Wares of leſs Fineneſs than aforeſaid, for every ſuch firſt Offence ſhall forfeit treble the Value of the ſaid Wares ſo ſold or exchanged; one Half whereof ſhall be to our Sovereign Lord the King, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof, and the other Half to the Party aggrieved, to be recovered in Manner and Form aforeſaid; and whoſoever ſhall offend the ſecond Time, and thereof be convicted, ſhall ſtand in the Pillory for the Space of One Hour, and loſe his Ears for the ſame.

N° 23. *An Act for the better ſecuring certain Titles, made by Way of Releaſe and Confirmation under the Great Seal of this Iſland.*

Obſolete.

N° 24. *An Act for ſettling the Militia.*

WHEREAS the Situation of this Iſland, amidſt ſubtil, rich, and potent Nations, cannot but ſufficiently convince every reaſonable Man of the Neceſſity the Inhabitants have of being well armed and trained up in the Art Military, as well for the Honour and Service of his moſt excellent Majeſty, as the Preſervation of our own Lives and Fortunes; be it therefore enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſons whatſoever, from Fifteen to Sixty Years of Age, remain unliſted, by themſelves, Maſters, Miſtreſſes, or Employers, under the Captains, in the reſpective Places of their Abode, in Foot or Horſe, the Space of Six Weeks, on Penalty of Forty Shillings, and ſo for every Six Weeks ſuch Perſons ſhall remain unliſted.

From what Age, and how long Perſons ſhall be exerciſed in Arms.

Accoutrements for Foot Soldiers,

II. AND that every Foot Soldier be provided with a well fixed Muſket or Fuzee, or (if the Officer ſo appoint) with a good Pike and Sword, or Launce and Piſtol; each Muſketeer to have Six Charges of Powder, and One Cartouch Box, and ſo ſhall appear when and where appointed, upon Penalty of Ten Shillings for his Default in not appearing, and Four Shillings for want of each Charge of Powder, Gun, Pike, Sword, Piſtol, or Cartouch-Box, ſo as the whole Penalty for any Perſon at one Time exceed not Ten Shillings.

III. AND

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III. And that every Soldier belonging to the Horſe, ſhall, when and where commanded, appear and be provided with a good ſerviceable Horſe, of Ten Pounds Value at the leaſt, covered with a good Saddle, with Holſters, Breaſtplate and Crupper, and a Caſe of good Piſtols, Hanger, Sword, or Rapier, and half a Pound of Powder, on Penalty of Ten Shillings for each Time's Abſence, and Six Shillings for Default of each the Particulars above-mentioned, ſo as the whole Penalty for one Time exceed not Fifteen Shillings. and Horſe.

IV. And that every Foot Soldier ſhall have at his Habitation and Abode Two Pounds of good Powder, and Six Pounds of ſizeable Bullets; and every Trooper have at his uſual Place of Abode a well fixed Carbine, with Belt and Swivel, and Four Pounds of fine Powder, with Twelve Pounds of ſizeable Bullets, on Penalty of Ten Shillings for each Default; and that each of them ſhall bring the ſame into the Field when commanded, upon Penalty of anſwering the ſame at a Court-martial. What Ammunition they ſhall have at their Habitations.

V. Provided nevertheleſs, That nothing herein be conſtrued to extend to force or compel any Perſon that hath or ſhall be in Commiſſion in this Iſland, to liſt himſelf in any Company or Troop, or to ſerve in any Capacity beneath the former Commiſſion, unleſs ſuch Perſon hath been degraded by a Court-martial. Proviſo.

VI. And it is further enacted by the Authority aforeſaid, That no Perſon, ſo liſted as aforeſaid, ſhall depart thence without a Diſcharge from the Commander of the Company or Troop where liſted, on Penalty of Forty Shillings; and that no Commander of any Company or Troop ſhall refuſe, when deſired, to give a Diſcharge in Writing to any that is removing his Abode out of the Precincts, under the Penalty of Five Pounds. Penalty on departing without Commander's Leave.

VII. And whereas at the Town of *Port Royal* Guards and Watches are every Night ſet and appointed, be it therefore enacted and declared by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons liſted in the Regiment of *Port Royal* (except on extraordinary Occaſions) to put a well-armed Man in their Room, who, if approved of by the Captain of the Guard, ſhall excuſe his or their Abſence. Watch and Guard to be kept at *Port Royal*, &c.

VIII. Provided always, That the Commiſſion-officers and Serjeants of the reſpective Companies be obliged, in their reſpective Turns, to mount the Guards in their proper Perſons; and that no Perſon ſhall refuſe to be a Serjeant, Corporal, or Drummer in the Company or Troop wherein he is liſted, under the Penalty of Five Pounds. Proviſo.

IX. And be it further enacted and ordained by the Authority aforeſaid, That all Captains of Companies of Foot, or Troops of Horſe, ſhall, within Six Months from and after Publication of this Act, provide for their Companies and Troops, Drums and Colours, Trumpets, Trumpeters, and Banners, at their own Charge, under the Penalty of Ten Pounds; and ſo for every Six Months ſuch Commanders ſhall remain unprovided. Captains to find Drums, &c. for their Troops.

X. And that all the Colonels of the reſpective Regiments, or next chief Officer in their Abſence, ſhall, once every Year at the leaſt, iſſue out their Warrants to their inferior Officers, commanding them to make diligent Search and Enquiry in their ſeveral Precincts, that all be duly liſted, armed, and equipped, and to return to them ſuch Defects as ſhall be found, to the End the ſame may be reformed, on Penalty of a Hundred Pounds; and that once every Two Months, or oftner, as Occaſion ſhall require, and Command be given by the Commander in Chief, the ſeveral Companies and Troops in each Regiment ſhall meet at the next and moſt convenient Places, to be appointed by their reſpective Officers, to be then and there by them muſtered and exerciſed; only the Regiment on *Port Royal* ſhall meet and exerciſe one Company in each Week ſucceſſively, and the whole Regiment once in Eleven Weeks. An Enquiry to be made once a Year, whether the Soldiers be duly liſted and equipped.

XI. And it is further enacted and ordained by the Authority aforeſaid, That during the Time the ſaid Officers and Soldiers are in Arms, they ſhall obſerve and keep all and every of the Laws and Articles of War, and give all due Obedience to their ſuperior Officers; which Laws and Articles the Commander in Chief, with Advice of a general Council of War, is to make and eſtabliſh, and the Commanders of the ſeveral Regiments to give out Copies of the ſaid Articles unto their reſpective Officers, that the ſame may be publickly read once every Six Months unto the Soldiers, whilſt they are in Arms, that all Perſons may the better know and obſerve their Duties. And if it ſhall happen that any of the Officers or Soldiers ſhall, when they are out of Arms, endeavour to take Revenge by Force for any thing his or their ſuperior Officers lawfully did, in Purſuance of his or their Duty and this Act, the ſaid Officers and Soldiers ſhall be brought to a Court-martial, and there puniſhed, as if the Offence had been done in time of Service or Exerciſe; provided that the ſaid Puniſhment do not extend to Life or Limb. Soldiers while under Arms to be ſubject to the Laws and Articles of War, &c.

XII. And be it further enacted by the Authority aforeſaid, That once every Year, or oftner, if thereunto commanded, each particular Captain ſhall give to his Field-officer, and the Field-officer to the Commander in Chief, fair written Rolls of their reſpective Companies and Regiments. Muſter-roll to be taken once a Year.

XIII. And if any Field-officer, Captain, or other inferior Officer or Soldier ſhall neglect or contemn performing the lawful Commands of their reſpective ſuperior Officers, he Penalty on disobeying Officer.

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he or they ſhall be puniſhed by Fine, Caſhiering, or Puniſhment, according to the Diſcretion of a Court-martial, which the Commander in Chief is to appoint and eſtabliſh; and the Orders of the ſaid Court-martial are hereby declared to be binding in all Military Affairs.

Clauſe for Relief of Wounded Soldiers.

XIV. AND if any Perſon upon any Invaſion, or other publick Military Service, be wounded or diſabled, he ſhall be cured and maintained out of the Publick Revenue.

General Iſſue.

XV. AND if any Perſon whatſoever ſhall be ſued, moleſted, or impleaded for any thing lawfully commanded in the Execution and Purſuance of this preſent Act, he ſhall plead the General Iſſue, and give this Act in Evidence, and ſhall thereupon, if found for him, recover Coſts of Suit and treble Damages.

Martial Law to be proclaimed in Times of Danger or Invaſion.

XVI. AND be it further enacted by the Authority aforeſaid, That upon every Apprehenſion and Appearance of any Publick Danger or Invaſion, the Commander in Chief do forthwith call a Council of War, and with their Advice and Conſent cauſe and command the Articles of War to be proclaimed at *Port Royal* and St. *Jago de la Vega*, from which ſaid Publication the Martial Law is to be in Force; that then it ſhall and may be lawful for the ſaid Commander in Chief to command the Perſons of any of his Majeſty's liege People, as alſo their Negroes, Horſes, and Cattle, for all ſuch Services as may be for the Publick Defence, and to pull down Houſes, cut down Timber, command Ships, and Boats, and generally to act and do, with all full Power and Authority, all ſuch Things as he and the ſaid Council of War ſhall think neceſſary and expedient for his Majeſty's Service, and Defence of this Iſland.

Proviſo.

XVII. PROVIDED always, and it is the true Intent and Meaning of this Act, That as ſoon as the Common Law revives and is in Force, the ſaid Negroes, Servants, Cattle, Ships, or Boats, ſo employed as aforeſaid, be immediately diſcharged; and to the end it may be certainly known when the Martial Law ceaſeth, and the Common Law taketh Place, it is hereby declared, That upon lodging the Colours, and diſcharging the Soldiers from their Arms, the Martial Law ceaſeth, and the Common Law revives and taketh Place.

No Soldier to be arreſted within one Month after his Diſcharge.

XVIII. PROVIDED alſo, That the Marſhal, or his Deputy, ſhall not preſume to arreſt any ſuch Soldier within one Month after every ſuch Diſcharge, nor in the Time of his going or coming to or from the Place of Exerciſe or Rendezvous, under the Penalty of Ten Pounds, and of being further liable to an Action of falſe Impriſonment. And in Caſe of any ſuch Arreſt, it ſhall be lawful for the reſpective Captain, or other Commiſſion-officer, to releaſe any of his or their Soldiers ſo arreſted.

Perſons ſuffering by the Landing of an Enemy, &c. to be ſatisfied out of the Publick Revenue.

XIX. AND it is hereby further enacted and ordained by the Authority aforeſaid, That if, upon any Alarm or Invaſion, any Perſon or Perſons whatſoever ſhall ſuffer, either by the Landing of an Enemy, or drawing together his Majeſty's Forces of this Iſland, all ſuch Damage or Damages, whether in Servants, Negroes, Horſes, Cattle, or in the Labour of any of them, or in the Expence of Proviſion, or by Fire, or by any other Loſs whatſoever, that may accrue by the Means aforeſaid; that then, upon due Application and Proof thereof made unto the Governor and Council, the ſaid Damages ſhall be reaſonably valued and forthwith paid out of the Publick Revenue; and that if there be no Money there, the Governor and Commander in Chief do forthwith call an Aſſembly, and recommend to them all Caſes of the like Nature, ſo that Money may be legally raiſed for the Publick Diſburſements, and every one receive juſt and equal Satisfaction for their Loſſes.

Diſpoſition of Forfeitures.

XX. PROVIDED always, and it is hereby enacted and declared by the Authority aforeſaid, That the ſeveral Fines and Forfeitures mentioned in this Act and not declared in what Manner they ſhall be recovered and how diſpoſed of, that all ſuch as do relate to any Perſon under the Degree of a Captain ſhall be to the reſpective Captains, to defray the Charge of their Companies or Troops, and to be levied before the next Exerciſing Day by Diſtreſs and Sale of the Offender's Goods, by the Captain's Warrant to the Serjeant or Corporal; and if no Diſtreſs be found, the Puniſhment to be by riding the Wooden-horſe, or being tied Neck and Heels, not exceeding an Hour, at the Diſcretion of their Officer; but if the Offender be a Servant, the Owner's Goods ſhall be liable to the Diſtreſſes and Sales as aforeſaid, ſo that Satisfaction may be made; and for all other Penalties mentioned in this Act, the ſame ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels by the Provoſt Marſhal, by Warrant from the Commander in Chief; one Half thereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof, and the other Half to the Informer.

Officer may grant Warrant of Diſtreſs againſt Perſons abſenting themſelves from Duty, &c.

XXI. AND be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Commiſſion-officer belonging to the Regiment on *Port Royal*, under the Degree of a Captain, in the Abſence of the ſaid Captain from off the Point, to grant Warrants of Diſtreſs againſt any Perſon whatſoever that ſhall abſent themſelves from their Duty on the Night-guards, without ſending a ſufficient Perſon to ſerve and watch in their Stead;

Stead; which ſaid Warrants ſo granted ſhall be as effectual to all Intents and Purpoſes whatſoever, as if they, or any of them, had been granted by the Captains themſelves. 1681.

XXII. And be it likewiſe enacted by the Authority aforeſaid, That no Wherry, Ship's Boat, or Canoe, ſhall at any Time paſs the Fort at *Port Royal*, under the Penalty of Twenty Shillings, to be recovered by Warrant from any Juſtice of the Peace, without given Notice to the Captain of the ſaid Fort, or whoſoever ſhall command in Chief therein in his Abſence; which ſaid Notice ſhall be ſufficient Leave to paſs the ſaid Fort, without any further Charge or Trouble whatſoever, unleſs the ſaid Captain, or other his Subordinate Officer, have reaſonable Cauſe to ſuſpect the Perſon ſo deſiring Leave to have ſome evil Deſign in going off with, or carrying off any Perſons contrary to Law; in which Caſe it ſhall and may be lawful for the ſaid Captain, or his aforeſaid Officer, to hinder, their Departure out of the Harbour, until the ſaid Captain or Officer be ſatisfied of the Lawfulneſs of their Occaſion; any Act, Cuſtom, or Uſage to the contrary notwithſtanding. Penalty on Boats, &c. paſſing the Fort of *Port Royal* without giving Notice to the Captain of it.

XXIII. Be it alſo further enacted by the Authority aforeſaid, That no Perſon whatſoever preſume to fire any ſmall Arms after Eight of the Clock at Night, unleſs in Caſe of an Alarm, Inſurrection, or other lawful Occaſion; and in either of the ſaid Caſes, Four Muſkets, or ſmall Arms, diſtinctly fired, ſhall be taken for an Alarm, from Quarter to Quarter; and every Perſon that ſhall be duly convicted before a Regimental Court-martial of neglecting his Duty, in taking and giving forward any Alarm, by firing Four Muſkets or ſmall Arms as aforeſaid, or ſhall be guilty of firing any ſmall Arms after Eight of the Clock at Night, unleſs as aforeſaid, ſhall he fined or otherwiſe puniſhed at the Diſcretion of a Court-matial, not extending to Life or Limb. Penalty on firing a Gun after 8 o'Clock at Night, &c.

XXIV And whoſoever ſhall be found to be a Tranſgreſſor herein by the next Commiſſion-officer, under Penalty of Five Pounds, be cauſed to be apprehended and ſent under a Guard to the next Marſhal, who is hereby obliged, under Penalty of Twenty Pounds, to receive and ſecure the ſaid Offender, until he ſhall be tried or diſcharged by a Court-martial as aforeſaid. Penalty on Marſhal neglecting to ſecure Offenders,

XXV. And for the better Prevention of falſe Alarms, That no Captain, Maſter, or Commander of any Ship or Veſſel, riding at Anchor in the Harbour of *Port Royal*, or any other Bay or Harbour, or any other Perſon, fire any Gun after Sun-let, under Penalty of Forty Shillings for every Gun ſo fired; to be levied by Warrant from the Chief Officer, not under the Degree of a Captain, who is hereby impowered to adminiſter an Oath, and give Judgement thereupon, by Diſtreſs or Sale of the Offender's Goods; and for want of Diſtreſs, the ſaid chief Officer is hereby impowered to commit ſuch Offender to Gaol, there to remain until Payment of the ſame; and that in caſe the ſaid chief Officer ſhall not perform his Duty herein, he ſhall forfeit Ten Pounds, to be levied by Warrant from the Governor or Commander in Chief for the time being. Provided always, That this Clauſe ſhall in no Ways concern or extend to any Captain or Officer of any of his Majeſty's Ships of War for their firing of one Gun for the ſetting of the Watch. and on Captains of Ships ſuffering Guns to be fired after Sun-ſet.

XXVI. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That nothing in this Act contained be expounded, conſtrued, or underſtood to diminiſh, alter, or abridge the Power of the Governor or Commander in Chief for the time being; but that in all things, and upon all Occaſions, he may act as fully and freely as Captain General and Chief Governor, to all Intents and Purpoſes as if this Act had never been made; any Thing in this Act to the contrary notwithſtanding. This Act not to abridge the Governor's Power.

XXVII. Provided alſo, and it is hereby enacted and declared by the Authority aforeſaid, That nothing within this Act, or any Clauſe therein contained, ſhall be deemed, conſtrued, or underſtood to give any Captain General or Commander in Chief any Power or Authority for the ſending any Perſon or Perſons off this Iſland againſt their Will, or to do any other Act or Thing contrary or repugnant unto the know Laws of *England* or this Iſland. Proviſo.

An Act for the Prevention of Law-Suits. N° 25.

BE it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all Poſſeſſions of or Titles to any Lands or Houſes whatſoever, derived by or from any Sales for valuable Conſiderations, made either by the Provoſt-marſhal, Creditors, or by Executors or Adminiſtators of any Perſons deceaſed, or by the Huſbands in Right of their Wives, or by the Endorſements or Delivery up of Patents, or by any Decrees in Chancery, or by any Laſt Wills and Teſtaments, or by any Patent granted upon Judgement given in Writs of *Eſcheat* or *Ceſſavit*; and the ſaid Perſon, or any claiming under them, now being in Poſſeſſion of the ſame, be, by this preſent Act, ratified, confirmed, and declared good and legal to all Intents and Purpoſes whatſoever. Poſſeſſions of Lands, &c. are hereby confirmed.

II. Provided always, That ſuch Poſſeſſors or Purchaſers, their Heirs or Aſſigns, have or ſhall continue in quiet or peaceable Poſſeſſion of the ſame for the Space of Seven Years, Proviſo.

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When Writs of *Eſcheat* are granted, the Provoſt-marſhal is to enquire of the true Value of the Eſtate, &c.

III. AND it is hereby enacted and declared by the Authority aforeſaid, That in all Writs of *Eſcheat* hereafter to be granted, the Provoſt-marſhal be commanded to enquire, by a Jury of Twelve free and lawful Men, upon their Oaths (they then being upon the Premiſſes) the true Value of all and ſingular the Real Eſtate which any Perſon ſo dying without Heirs was at, the Time of his death ſeized of; and that after Office found and returned into the Supreme Court, and Judgement thereupon given and recorded, it be lawful for the Governor for the time being, or in his Abſence the Commander in Chief, to paſs any Grant of the ſaid Eſcheated Eſtate under the Broad Seal of this Iſland. Provided, That a Clauſe be therein inſerted, that the ſaid Grant ſhall determine and be void, in caſe any Right Heir appears and claims the ſame, and legally approves himſelf to be Heir, within Three Years after the Date of the ſaid Patent; and that the Value of the ſaid eſcheated Eſtate, as it was appraiſed at, ſhall be ſecured, to be paid into the Treaſury of this Iſland after the Expiration of Three Years from the Date of the Patent, if no Heir in the mean Time ſhall obtain the ſame, by ſuch Perſon or Perſons to whom the Governor or Commander in Chief as aforeſaid ſhall by Patent under the Broad Seal of this Iſland grant the ſame; and that the Treaſurer or Receiver be hereby required to pay or cauſe to be paid the Sum or Sums of Money the ſaid eſcheated Eſtate was valued at out of the Treaſury, unto or for the Uſe of ſuch Heir who ſhall claim the ſame, and approve himſelf to be Heir, before any other Payment whatſoever; which Proof of the Heir's Title ſhall be made by any Publick Atteſtation, or otherwiſe, as ſhall be believed to be Evidence by the Judges and Jury; to be recovered at any Time without Limitation.

Bills of Sale acknowledged before a Judge, and duly recorded ſhall be valid in Law.

IV. AND be it further enacted by the Authority aforeſaid, That all Bills of Sale and Conveyances whatſoever heretofore made, or that hereafter ſhall be made, by Huſband and Wife, and acknowledged before the Judge of any Court of Record within this Iſland, and duly recorded, ſhall be good and valid in Law againſt all Perſons whatſoever that can or may pretend to claim any Eſtate in the Lands or Tenements ſo conveyed, to all Intents and Purpoſes whatſoever, as if the ſame had paſſed by Fine and Recovery in any of his Majeſty's Courts of *Weſtminſter*.

Proviſo.

V. PROVIDED always, That where any true and valuable Improvement is made on ſuch eſcheated Land by the Patentee or Patentees during the ſaid Three Years, that ſuch Heir before his entering upon the ſame ſhall ſatisfy and pay unto ſuch Patentee or Patentees all ſuch Charges as the Chancellor for the time being ſhall judge to be reaſonably expended, together with the Intereſt of the ſame, according to the Cuſtom of this Country; any thing herein contained to the contrary notwithſtanding.

N° 26. *An Act for eſtabliſhing Courts, and directing the Marſhal's Proceedings.*

FOR the better and more orderly Regulation and Eſtabliſhment of the ſeveral Courts of Juſtice within this Iſland, as well in reſpect of the Time and Place for holding the ſame, and alſo directing the Marſhal's Proceedings; be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Judges of the Supreme Court of Judicature for the time being are hereby fully impowered and authorized to have Cognizance of all Pleas, civil, criminal, and mixt, as fully and amply, to all Intents and Purpoſes whatſoever, as the Courts of *King's Bench*, *Common-Pleas*, and *Exchequer*, within his Majeſty's Kingdom of *England*, have or ought to have; and the ſaid Court ſhall be duly and conſtantly kept at the Town of St. *Jago de la Vega*, and not elſewhere, once every Three Months, and not oftner; and that there be Five Judges at the leaſt appointed to hold the ſame Court, Three whereof to be a *Quorum*; and that the ſeveral inferior Courts of *Common-Pleas*, eſtabliſhed, or that ſhall be eſtabliſhed in the ſeveral Precincts of this Iſland, ſhall have Juriſdiction over all Cauſes, wherein any Freehold is not concerned, to the Value of Twenty Pounds, with Coſts, and no more; and that the ſame be held and kept at the ſame Time and in the ſame Place of the reſpective Precincts, where the Juſtices of the Peace ſhall hold and keep the Quarter-ſeſſion once every Three Months; and that none of the ſaid Courts be kept oftner, nor in any other Place or Manner than is hereby declared.

Judges of the Supreme Court to have Cognizance of all Pleas.

Proviſo.

II. PROVIDED always and it is hereby enacted by the Authority aforeſaid, That in Reſpect *Port Royal* is the chief Seat of Trade within this Iſland, and it is found by Experience that a quicker and more ſpeedy Diſpatch of all Maritime and Merchandizing Affairs

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Affairs give the greateſt Satisfaction to all Parties concerned, it ſhall and may be lawful for the Judge or Judges of the Court there eſtabliſhed, to hold and keep the ſame once every Two Months, and not oftner; and that it ſhall and may be lawful for the Chancellor here for the time being, upon Application made, to grant a Juſtice to any of the inferior Courts within this Iſland; any thing herein contained to the contrary notwithſtanding.

No Judge to officiate in his Office before he has taken the Oaths of Allegiance.

III. And be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for any Perſon or Perſons whatſoever, appointed, elected, or choſen to be Judge or Judges of the aforeſaid Courts, to execute or officiate his or their ſaid Place or Office, until ſuch Time as he or they ſhall reſpectively take the Oaths of Allegiance and Supremacy in open Court; and that none of the ſaid Judges, directly or indirectly, ſhall aſk, demand, or receive any other Profit, Benefit, or Advantage from any of the Clerks of the ſaid Courts, or other Perſon whatſoever, under Colour or Pretence of ſuch their Place, Office, or Authority, but what is allowed them by the Acts of this Iſland, under Penalty of Five hundred Pounds of current Money of this Iſland.

Judges to eſtabliſh Rules and Orders in their Courts.

IV. And be it further enacted by the Authority aforeſaid, That all and every of the Judges of the ſeveral Courts before mentioned, be and are hereby ſufficiently impowered to make, order, and eſtabliſh all ſuch Rules and Orders for the more orderly practiſing and proceeding in their ſaid Courts, as fully and amply, to all Intents and Purpoſes whatſoever, as all or any of the Judges of the ſeveral Courts of the *King's-Bench*, *Common-Pleas*, and *Exchequer* in *England* legally do; and that no Counſellor or Attorney be ſuffered to practiſe in any of the ſaid Courts, until they be firſt admitted by the ſame, and have taken as well the Oath of an Attorney as the Oaths of Allegiance and Supremacy, under the Penalty of Twenty Pounds of current Money of this Iſland.

Counſellor, &c. miſtaking his Client's Cauſe, to pay Coſts of Suit.

V. And whatſoever Counſellor or Attorney ſhall, by Negligence or Ignorance, miſtake his Client's Cauſe, and imperfectly lay his Action, or ill draw the Declaration, whereby the Client ſhall ſuffer a Nonſuit, he or they ſo offending ſhall be liable, by Rule of Court, without any other Proceſs or Courſe of Law whatſoever, to pay unto the Party aggrieved full Coſts of Suit.

No Perſon to ſuffer by Miſtake of his Lawyer.

VI. And to the end that no Perſon ſhall be damnified by Miſtake of his Lawyer for Matter of Form only, be it enacted and declared by the Authority aforeſaid, That the Judges ſhall at all Times, on Motion made in Court, order Amendments; and ſhall not, upon Arreſt of Judgement, or Writ of Error, for Matter of Form only, reverſe any Judgement whatſoever.

No Action of Waſte allowed to lie in any Court.

VII. And be it enacted and declared by the Authority aforeſaid, That no Action of Waſte ſhall be permitted to be brought, or allowed to lie within any Court of this Iſland; and that no Freeholder whatſoever, being of known Reſidence, ſhall be arreſted by any Proceſs out of any of the ſaid Courts, upon the Penalty of Twenty Pounds current Money, to be paid by the Plaintiff to the Party ſo arreſted; and what Action, or other Proceeding whatſoever, ſhall be entered, ſued, had, made, or proſecuted thereupon, contrary to the true Intent and Meaning thereof, ſhall and is hereby declared to be void and of no Effect, to all Intents and Purpoſes whatſoever.

Penalty on Perſons taking out Writs when the Debt amounts not to 20*l.*

VIII. And that no Suit be had, or Proceſs taken out of the Supreme Court of Judicature, for any Matter or Cauſe of Action under the Value of Twenty Pounds, current Money of this Iſland, upon Penalty of Twenty Pounds of the like Money, to be paid by the Plaintiff in the ſaid Action; but that the ſame be tried in the Court of the Precincts where ſuch Cauſe of Action doth ariſe, provided that both Parties reſide there; and that the Inhabitants and Reſidents in St. *Catharine's*, St. *Dorothy's*, St. *Thomas in the Vale*, and St. *John's*, ſue as formerly in the Supreme Court for any Sum whatſoever, until they ſhall have petty Courts in their own Pariſhes; any thing in this Act to the contrary notwithſtanding.

Judgement to go againſt Defendant, if he appears not, &c. Proviſo.

IX. And it is further enacted by the Authority aforeſaid, That in all and every the inferior Courts within this Iſland, upon Summons duly ſerved, and the Defendant not appearing, Judgement ſhall go by Default, in the ſame Manner and Form as in the Supreme Court.

X. Provided always, that it is the true Intent and Meaning of this Act, That as well in the Supreme Court as any other the inferior Courts within this Iſland, the Provoſt-marſhal, or his lawful Deputy, ſhall appear in open Court, and there depoſe upon Oath, that the Party or Parties, againſt whom Judgement ſhall go by Default, hath been legally ſummoned Fourteen Days before the ſaid Court; any thing in this Act, or any other to the contrary notwithſtanding.

Upon Proof of Proceſs ſerved, &c. Attachment may be iſſued.

XI. And it is likewiſe enacted and ordained by the Authority aforeſaid, That upon any Declaration exhibited in Debt upon any Specialty or Bill under Hand; or in caſe of a Book Debt, upon a *Conceſſit ſolvere*, and diſcloſing the Special Matter to the Chief Judge of the Supreme Court of Judicature, that the ſaid Debtor, againſt whom the Plaint is entered, is either gone off this Iſland, or that upon Proceſs already taken out againſt him, a *Non eſt inventus* hath been returned, an Attachment ſhall then iſſue, thereby commanding the Provoſt-marſhal, or his lawful Deputy, to attach ſuch Monies, Goods, Chattels, or Debts, in the Hands of the Poſſeſſors of the ſame, be they Attorney, Wife, Servant, or

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How Debts under 40 *s.* ſhall be recovered.

XII. And be it further enacted and ordained by the Authority aforeſaid, That in all Debts not exceeding Forty Shillings, upon Complaint made to any Juſtice of the Peace, that the Debtor againſt whom he complaineth is gone off this Iſland, or otherwiſe abſented himſelf, that then it ſhall and may be lawful for the ſaid Juſtice of the Peace to iſſue out a Warrant of Attachment, to be levied by the Conſtable in Manner and Form as is before preſcribed, to the Provoſt-marſhal for the Execution of the Writ, and to be immediately determined by the ſaid Juſtice ; any Clauſe in this Act, or any other to the contrary notwithſtanding.

The Manner of ſerving all Proceſſes.

XIII. And be it further enacted and ordained by the Authority aforeſaid, That all Summons, and all other Proceſs hereafter mentioned, ſhall be ſerved and executed in Manner and Form as is herein directed, and in no other Manner or Way whatſoever ; that is to ſay, That all Summons, as well from the Supreme Court as all other the inferior Courts within this Iſland, *Port Royal* only excepted, ſhall be delivered to the Party, or left at their reſpective Dwellings, Fourteen Days before the ſeveral Courts, by a ſworn Marſhal ; and that at *Port Royal* all Summons ſhall be delivered * Ten Days before the Court, otherwiſe it ſhall be deemed and taken as no Service, and the Defendant not bound by it to appear ; and that all Replevins, foreign Attachments at the Supreme Court, and Warrants of Arreſt, be ſerved at any Time, as heretofore ; and that no Execution ſhall be taken out, ſerved, or executed, until Twenty-eight Days be fully expired after Judgement, except at *Port Royal*, where Execution ſhall iſſue Ten Days after Judgement obtained ; and that no Negroes, Horſes, or any manner of Utenſils belonging to a Plantation, Brick, or Pot-work, nor any other Negroes whatſoever, from and after the making hereof, ſhall be taken in Execution, where the Party, againſt whom the Execution is obtained, ſhall offer Goods for Satisfaction of the Debt and Coſts of Suit.

* In 1735. made 14 Days.

Clauſe in Favour of Perſons whoſe Goods are taken in Execution.

XIV. And it is further enacted, That the ſaid Defendant, who hath his Goods taken upon Execution, ſhall have free Liberty to convey and carry off the Goods ſo taken, at his own proper Coſts and Charges, to the next and moſt convenient Place and Market, for Diſpoſal of the ſaid Goods, and there ſhall have free Power and Liberty to make Contracts, bargain for, and ſell the Goods ſo taken in Execution, the Defendant firſt acquaining the Marſhal who levied the Execution upon the Goods with ſuch Bargain or Contract, to the end the Marſhal may deliver the ſame, and receive the Produce thereof, according to his Precept.

Within what Time they are to be ſold.

XV. And it is further enacted by the Authority aforeſaid, That if the Defendant, after his Goods ſhall be ſo taken in Execution, as aforeſaid, ſhall delay, or neglect ſelling or diſpoſing of the Goods until Ten Days before the next enſuing Court, that then, and in all ſuch Caſes, it ſhall and may be lawful for the Marſhal to take the ſaid Goods and Chattels of the Defendant, and the ſame to ſell by publick Outcry.

How the Marſhal is to behave where no Diſtreſs can be made but on Negroes, *&c.*

XVI. And it is further enacted by the Authority aforeſaid, That where no ſuch Goods as aforeſaid ſhall be ſhewn and offered to the Provoſt-marſhal, ſo that the Negroes, working Cattle, or neceſſary Utenſils muſt be taken in Execution, that then, and in all ſuch Caſes, the ſaid Negroes, Horſes, or Utenſils, ſhall not be removed, but remain ſtill in the Defendant's Poſſeſſion ; and that upon the Marſhal's Return at the ſame Court as aforeſaid, that he hath levied ſuch Effects, and left them in the Defendants Hands, there iſſue out a *Venditioni exponas*, without any Charge of Mile-money, in theſe Words following :

The

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The KING to the Provoſt-Marſhal; Greeting.

WHEREAS *We lately commanded thee by Our Writ, That of the Goods and Chattels Real and Perſonal, of* A. B. *thou ſhouldeſt levy, or cauſe to be levied, as alſo Coſts of Suit which* C. D. *hath recovered againſt him; by virtue of which Writ thou didſt return unto Us, That thou hadſt taken in Execution of the Goods of the ſaid* A. B. *to the Value of the ſaid Debt and Coſts of Suit; which ſaid Goods remain in the Cuſtody of the ſaid* A. B. *We therefore command thee, That the Goods of the ſaid* A. B. *by thee in Form aforeſaid taken, thou expoſe to Sale, and the Money thereof coming, thou immediately render to the ſaid* C. D. *for his Debt or Damages, and Coſts, as aforeſaid; but if the Goods aforeſaid ſhall be imbezilled or made away, or that the ſaid* A. B. *doth not deliver the ſame, that then thou levy the ſaid Debt or Damages, and Coſts, upon any other the Goods and Chattels of the ſaid* A. B. *and immediately expoſe the ſame to Sale; and if thou canſt not find ſufficient Goods or Chattels, by which the whole Debt or Damages, and Coſts, may be ſatisfied, that then thou take the Body of the ſaid* A. B. *and him ſafely keep, ſo that thou have his Body before Us at Our next Court, to ſatisfy the ſaid* C. D. *of the ſaid Debt or Damages, and Coſt, or ſo much thereof as by thee cannot be levied; and have thou then and there this Writ. Witneſs,* &c.

Goods to be ſold by publick Outcry at the next Court of the Precincts, &c.

By Virtue whereof the ſaid Goods ſhall be ſold by publick Outcry at the next Court of the Precincts where the Goods are taken; and if they are ſo arreſted or taken in the Pariſh of St. *Catharine*'s, St. *Dorothy*'s, St. *Thomas in the Vale*, or St. *John*'s, until they ſhall have petty Courts of their own erected, Publication ſhall be then made at the ſame Court that the Return is made, that the ſaid Goods ſhall be ſold Twenty Days after, by publick Outcry, in the Parade-place of St. *Jago de la Vega*; and the Money ariſing from the ſaid Sale, ſhall not remain in the Marſhal's Hands, but be paid to the Plaintiff, or his Order, within Ten Days, under the Penalty of Half the Debt; to be recovered by the Plaintiff, to his own Uſe, in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Execution not to be levied on Negroes, &c. if any other Cattle can be found on the Premiſſes.

XVII. AND it is further enacted by the Authority aforeſaid, That where the Perſon againſt whom ſuch Execution is iſſued hath not the Goods afore mentioned in this Act by him to ſhew, and offer to the Marſhal within the Time preſcribed, that nevertheleſs, the Marſhal ſhall not lay the Execution upon any Negroes, working Cattle, or Utenſil, upon or belonging to any Plantation, Brick, or Pot-work, or any other Negroes whatſoever, if the Defendant ſhew or deliver to him any other Stock or Cattle, being in a Pen, the ſaid Cattle or Stock to be ſold by publick Outcry, upon *Venditioni exponas*, to be iſſued as aforeſaid.

Damages to Goods, &c. to be borne by the Defendant.

XVIII. AND it is further enacted and ordained by the Authority aforeſaid, That all Accidents that happen whilſt the Goods that are taken in Execution remain in the Defendant's Poſſeſſion, be borne and made good by the Defendant; and that no Property ſhall be by the Defendant transferred, or made in or to any ſuch Goods that ſhall be ſo taken in Execution by virtue of this Act.

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XIX. PROVIDED always, and it is hereby further enacted and declared, That where the Body of the Defendant ſhall be taken in Execution, that nevertheleſs, if any Effects afterwards appear, the Plaintiff may take out another Execution, and levy the ſame on the ſaid Effects, for Satisfaction of the ſaid Debt; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Priſoner having nothing to maintain him, may, by Order of Court, be let to hire, &c.

XX. AND it is further enacted by the Authority aforeſaid, That where any Priſoner or Priſoners under Execution ſhall have nothing to maintain him, her, or themſelves, that then he, ſhe, or they, diſcloſing the ſame upon Oath unto Two Juſtices of the Peace of the Pariſh where he, ſhe, or they ſhall be Priſoners, and making it appear to the Judges of the Supreme Court, that he, ſhe, or they have given Notice to all their Creditors Ten Days before the ſaid Court, that they, or either of them, intend to take the Benefit of this Act, bringing likewiſe to the ſaid Court a Certificate of ſuch their Oath, under the Hands and Seals of the ſaid Juſtices; that then the Priſoner or Priſoners ſo taken in Execution ſhall be publickly let to hire at the ſaid Court, the Marſhal receiving for his Fees a proportionable Share with the other Creditors; and the Money ſo ariſing from the ſaid Hire ſhall be paid to ſuch Perſons as the Court ſhall appoint, to be equally divided among the Creditors, as aforeſaid; but in caſe any Creditor ſhall refuſe to conſent to letting the ſaid Priſoner or Priſoners to hire, that then ſuch Creditor ſhall pay, or cauſe to be paid, to the ſaid Priſoner or Priſoners Three Shillings and Six Pence weekly.

Creditor diſſenting, ſhall pay him 3*s.* 6*d.* *per* Week.

Future Acquiſitions liable to ſatisfy Creditors.

XXI. PROVIDED always, and it is hereby enacted, That if any Priſoner or Priſoners ſo let to Hire ſhall at any Time afterwards come to have or enjoy an Eſtate, having not firſt ſatisfied their Debts, that then, at all Times hereafter, the Judgement obtained againſt him, her, or them, ſhall remain good and in Force, and another Execution ſhall be

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taken out and levied againſt the Goods and Chattels of the ſaid Priſoner or Priſoners, whereſoever they ſhall be found.

Penalty on the Provoſt-marſhal miſbehaving himſelf.

XXII. AND be it further enacted by the Authority aforeſaid, That if the Provoſt-marſhal by himſelf, or any of his Deputies, ſhall levy any Execution in any other Manner than what is herein before declared, or ſhall aſk, demand, or receive any Mile-money for the executing any Writ of Execution, or *Venditioni exponas*, ſhall forfeit One hundred Pounds, current Money of this Iſland, for every ſuch Offence; to be recovered in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; the one Moiety whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Party aggrieved.

Diſpoſition of Forfeitures.

XXIII. And it is further enacted by the Authority aforeſaid, That the ſeveral Fines, Forfeitures and Penalties before mentioned in this Act, and not declared how they ſhall be diſpoſed of, ſhall be recovered in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; the one Moiety whereof ſhall be to our Sovereign Lord the King, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or he that ſhall ſue for the ſame.

N° 27. *An Act appointing where the Laws of this Iſland ſhall be lodged.*

Where original Acts of Aſſembly of this Iſland ſhall be lodged.

WHEREAS no Place hath been hitherto appointed for the lodging and ſecuring the Acts of this Iſland, ſo that his Majeſty's Subjects have been at no Certainty where to find the ſame, and take Copies thereof, to their great Detriment and Inconveniency; for Remedy whereof for the future, be it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That from and after the End and Determination of this preſent Seſſion, as well the original Acts heretofore made and enacted ſince the Seventeenth Day of *March*, in the Year of our Lord One thouſand ſix hundred and eighty, as thoſe alſo herewith, or that ſhall hereafter be enacted, ſhall be lodged in the Secretary's Office of Enrolments at St. *Jago de la Vega*, and not elſewhere; and the Secretary for the time being ſhall, at all Office Hours, be ready to ſhew all or any of the ſaid Acts, when thereunto required by any of His Majeſty's Subjects as may or ſhall have occaſion to view the ſame; and ſhall give Copies thereof, or any Clauſe in any of them contained, for which he ſhall be allowed Eight Pence *per* Sheet, accounting Sixteen Lines to a Sheet, and Fourteen Words to a Line; and that he ſhall likewiſe be allowed for comparing and examining any Copy, containing the whole Body of the Laws, with the Originals, Forty Shillings current Money, and no more.

Secretary's Fees.

Secretary to give Security for the faithful keeping all Acts lodged in his Office.

II. AND to the end his Majeſty's Subjects may be fully ſatisfied, no Embezilment, Razure, or Defacements of the ſaid Acts, or any of them, ſhall for the future be committed in the ſaid Office, it is enacted and ordained by the Authority aforeſaid, That the Secretary of this Iſland, or his lawful Deputy, that ſhall act in his Room or Stead, ſhall give in Bond, with good and ſufficient Security, to our Sovereign Lord the King, his Heirs and Succeſſors, in the Penalty of Four thouſand Pounds, in the following Condition:

THE Condition of this Obligation is ſuch, That if the above-bound A. B. *ſhall and do well and faithfully execute and perform the Offices and Places of Secretary and Clerk of the Enrolments for this his Majeſty's Iſland of* Jamaica; *and alſo faithfully and truly keep and preſerve in his ſaid Office all and every of the Acts of this Iſland made ſince the ſeventeenth Day of* March, *in the Year of our Lord God One thouſand ſix hundred and eighty, ſo that his Majeſty's Subjects may have Recourſe thereunto; and do in all Things elſe comply with the Duty of the ſaid Offices, according to the Truſt repoſed in him, and according to the Laws of this Iſland in ſuch Caſes made and provided; that then the above-written Obligation to be void and of none Effect, or elſe to remain in full Force and Virtue.*

Penalty on acting before Security given.

III. PROVIDED always, That neither the ſaid Secretary, nor his Deputy for the time being, do or ſhall, from and after the Twentieth Day of *November* next enſuing, preſume to act or officiate his ſaid Office, until he or they ſhall enter into the aforeſaid Bond, with the Condition before recited, upon Penalty of Five hundred Pounds for every Time he or they ſhall ſo officiate or act in his ſaid Office; to be recovered in the Supreme Court of Judicature in this Iſland by Bill, Plaint, or Information, wherein no Eſſoin, Protection, Injunction, Wager of Law, or *Non vult ulterius proſequi* ſhall be admitted or allowed; the one Half to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of his Majeſty's Iſland, and the contingent Charges thereof,

and

and the other Half to the Informer, or him that ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 1681.

IV. PROVIDED alſo, and be it hereby declared, That if the Secretary, or his lawful Deputy for the time being in this Iſland, ſhall enter into Bond, as aforeſaid, which ſaid Bond ſhall be lodged as is appointed in an Act, intituled, *An Act for regulating Fees*, that then it ſhall be accounted ſufficient to diſcharge him or them from entering into any other Bond, or Security required by the Acts of this Iſland; any thing herein, or in any other Act to the contrary notwithſtanding. Proviſo.

An Act for raiſing a publick Impoſt.

№ 28. Repealed.

WHICH Laws having, upon the Peruſal of the Right Hon. the Lords of the Committee of Trade and foreign Plantations, been preſented to his Majeſty at this Board, his Majeſty was graciouſly pleaſed (with the Advice of his Privy Council) to approve and confirm the ſame for the Space of Seven Years, to commence from the Firſt of October *laſt, preceeding the Date hereof; and purſuant to his Royal Pleaſure thereupon ſignified and expreſſed, the ſaid Laws are hereby approved and confirmed for the Space of Seven Years accordingly.*

JOHN NICHOLAS.

N. B. The Laws confirmed by the above Order, were further confirmed for Twenty one Years, by Order in Council of the Seventeenth of *April*, 1684.

An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office.

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BE it enacted by the Governor, Council, and Aſſembly, and it is enacted and ordained by the Authority of the ſame, That the Maſter of every Ship or Veſſel, or ſome other for him, in caſe of Diſability, before he trade within this Iſland, or land any Goods on the ſame (living Creatures only excepted) ſhall wait upon the Governor or Commander in Chief for the time being, and give in Security in the Secretary's Office, with one ſufficient Freeholder or well known Merchant (ſuch as by common Repute is held to be worth ſo much) in the Sum of One thouſand Pounds current Money of this Iſland, that he ſhall not carry off this Iſland any Perſon without the Governor's Ticket, nor depart himſelf with his Ship or Veſſel without the Governor's Leave, under the Penalty of Fifty Pounds current Money of this Iſland, to be recovered by due Courſe of Law in any Court of Record within the ſame; one Third thereof ſhall be to our Sovereign Lord the King, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third to the Governor or Commander in Chief for the time being, and the other Third to the Informer; which Security the Secretary of this Iſland for the time being is hereby impowered to take. Maſters of Veſſels trading to this Iſland, to give 1000*l.* Security not to carry Perſons off the Iſland without the Governor's Leave, &c.

II. PROVIDED always, and it is the true Intent and Meaning of this Act, That the Maſters of all Sloops, Barks, and Veſſels, trading to and from any Parts, Ports, and Habours within this Iſland, or that ſhall be employed in turtling or fiſhing for the Uſe of this Iſland, ſhall be obliged to give Security in the Secretary's Office but once every Year; and that all Maſters of Sloops, Barks, and any other Veſſels belonging to the Inhabitants of this Iſland, trading to and from this Iſland, ſhall be obliged to give Security in Manner and Form as aforeſaid but once in Six Months; any thing in the Act ſeeming to the contrary notwithſtanding. Proviſo.

III. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland for the time being, or his lawful Deputy, ſhall not deliver any Perſon a Ticket, under the Hand of the Governor, to go off this Iſland, unleſs his Name have been ſet up in the Secretary's Office One and twenty Days; a Liſt of which Names ſhall be duly ſet up in the Secretary's Office, both at St. *Jago de la Vega* and *Port Royal*; and that the ſaid Perſon do bring before him one or more of good Credit and Repute to make Oath (which Oath any Juſtice of the Peace, except the ſaid Secretary, is hereby impowered to adminiſter) that he hath known him or her to go by that Name for one Year, if he or ſhe have been here ſo long, if not, then that he hath known him or her by that Name How long a Perſon's Name ſhall be ſet up in the Secretary's Office, before a Ticket ſhall be granted him to go off the Iſland, &c.

1683. ſo long as he or ſhe hath lived in this Iſland; and that the ſaid Affidavit be kept filed in the ſaid Office, otherwiſe that he take good Security for the paying ſuch Perſon's Debts ſo departing; all which the ſaid Secretary is bound to obſerve, under the Penalty of being liable himſelf to ſatisfy all the Creditors of ſuch Perſon or Perſons, or Maſters or Miſtreſſes of Servants, ſo obtaining a Ticket, or otherwiſe carried off by any Maſter of Ship or Veſſel that ſhall not have given ſufficient Security, according to the Intent and true Meaning of this Act; by which the aggrieved Perſon ſhall, by virtue of this Act, have Remedy at Common Law againſt the ſaid Secretary, Deputy-Secretary, or his or their Security. Provided nevertheleſs, That if the ſaid Bonds are not ſued within Two Years after their ſeveral Dates, they are hereby declared null and void to all Intents and Purpoſes whatſoever.

Proviſo. IV. PROVIDED always, and it is hereby declared to be the true Intent and Meaning of this Act, That the ſaid Bonds, ſo given as aforeſaid, ſhall be taken in the King's Name; but are hereby declared to be only to and for the Uſe and in Truſt for the Perſon or Perſons concerned. And that when any of the ſaid Bonds ſhall be put in Suit, and Judgement thereupon obtained, the Judgement ſhall remain in the ſame Nature the Bonds were, and that no Execution iſſue out thereupon, before the Perſon aggrieved ſhall by *Scire Facias*, or other Proceſs, ſummon the Perſon or Perſons againſt whom the Judgement aforeſaid is obtained, to appear and ſhew Cauſe why Execution ſhould not iſſue upon the ſaid Judgement; and if the Plaintiff in the ſaid *Scire Facias* ſhall duly prove what Damages he hath ſuſtained, and thereupon a Verdict be found for him, the Judges ſhall in ſuch Caſes award Execution for ſo much as the Jury ſhall then find, and no more; and the former Judgement is hereby declared ſtill to remain cautionary, for the Satisfaction of ſuch other of his Majeſty's Subjects as ſhall legally prove themſelves damnified, and recover the Damages, as aforeſaid, by due Courſe of Law; and if any Judgement have been already obtained, and thereupon Execution taken out for the whole Sum mentioned in the Bond, that in ſuch Caſes the ſaid Judgement remain in Force; but that all Proceſs thereupon do ſurceaſe and be ſtopt, and that no Benefit be had of the ſaid Judgement before the *Scire Facias* be taken out, and the Damages legally proved, as aforeſaid.

Where and how long the Secretary's Office ſhall be kept open. &c. V. PROVIDED alſo, That the ſaid Secretary, or his Deputy, be obliged to keep his Office both at *Port Royal* and St. *Jago de la Vega*, and give Attendance at both Places from Eight to Eleven of the Clock in the Morning, and from Two till Five of the Clock in the Afternoon, except on *Sundays* and ſuch Holidays as are uſually obſerved in this Iſland, under the Penalty of Twenty Pounds current Money of this Iſland; the one Moiety whereof to be to our Sovereign Lord the King, His Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof, the other Moiety to the Informer; to be recovered in any Court of Record by Action, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

№ 30. *An Act for regulating Fees.*

Repealed.

№ 31. *An Act encouraging the ſettling of this Iſland.*

What Qualifications are requiſite for Perſons to be naturalized. BE it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful for the Governor, or Commander in Chief for the time being, or any of his Succeſſors, Governors of this Iſland, by Inſtrument under the Broad Seal of the ſame, to make any Alien or Aliens, Foreigner or Foreigners, being already ſettled in this Iſland, or ſuch as ſhall hereafter come to ſettle and plant in it, having firſt taken the Oath of Allegiance, to be to all Intents and Purpoſes fully and compleatly naturalized; and that the ſaid Perſon ſo approved of, and named in the ſaid Letters Patents, as aforeſaid, ſhall, by virtue of this Act, have and enjoy, to them and their Heirs, the ſame Immunities and Rights of and unto the Laws and Privileges of this Iſland, in as full and ample Manner as any of his Majeſty's natural born Subjects have or enjoy within the ſame, or as if they themſelves had been born within any of his Majeſty's Realms or Dominions; any former Law, Act, Ordinance, Uſage, or Cuſtom to the contrary notwithſtanding.

Governor's Fees. II. AND to the Intent the ſaid Letters Patents and Inſtruments, under the Broad Seal of this Iſland aforeſaid, may be obtained without any great Difficulty or Charge, be it therefore enacted and ordained by the Authority aforeſaid, That the Governor, or Commander in Chief, ſhall have and receive for the ſame, Five Pounds current Money of this Iſland; and his Clerk for writing of it, Ten Shillings; and no more ſhall be paid to any Perſon or Perſons for the paſſing the ſame, upon any Pretence whatſoever.

III. AND

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III. And whereas ſeveral Aliens and Foreigners that have formerly tranſported themſelves to this his Majeſty's Iſland, have taken up and patented in their own Names ſeveral Parcels of Land, or otherwiſe made Purchaſes of Lands, Houſes, or other real Intereſt, and afterwards the ſame have been ſold, deviſed, or elſe taken by *Eſcheat* or *Ceſſavit*, and granted to any of his Majeſty's liege People, Inhabitants of this Iſland; it is therefore hereby enacted and ordained by the Authority aforeſaid, that all ſuch Perſon or Perſons that have ſo bought, or do hold by virtue of any Deviſe of any Alien or Aliens, any Lands, Houſes, or Tenements, be as well ſecured, and, by virtue of this Act, be for ever confirmed in the quiet and peaceable Poſſeſſion of all ſuch Purchaſes or Deviſes, as if they had been ſold or deviſed by any of his Majeſty's natural-born Subjects, and ſhall be good to their Heirs and Aſſigns for ever; any former Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Deviſes, &c. from Aliens are hereby confirmed.

An Act for ordering Boats and Wherries, and better Government of Seamen. N° 32.

Be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That no Shallopman, Boatman, or Wherryman, or any other Perſon or Perſons employed in any Shallop, Boat, Wherry, or other Veſſel, ſhall aſk or demand for Tranſportation of any Goods, Perſon, or Perſons, but according to the Rates hereafter mentioned; *viz.*

Prices to be taken by Boatmen, &c. for Carriage of Goods or Perſons.

II. For a Boat, or Wherry, from *Paſſage Fort* to *Port Royal*, *Salt Ponds*, or St. *Andrew's*, or from St. *Andrew's* to *Paſſage Fort*, or backwards from any of the aforeſaid Places in the Day-time, Two Shillings and Six Pence, and in the Night, Three Shillings; and at uſual Times when there are Six Paſſengers or more, of every Perſon, Six Pence: And whatſoever Wherryman ſhall refuſe to carry any Perſon to or from the aforeſaid Places at the Rate afore mentioned, ſhall forfeit Twenty Shillings; to be recovered from the Owner of ſuch Boat by a Warrant of Diſtraint from any of his Majeſty's Juſtices, and to be diſpoſed of for the Poor of the Pariſh.

III. And the Freight of any Goods or Liquors betwixt any of the aforeſaid Places, Three Pence the Hundred.

IV. For any Quantity not exceeding a Barrel, Seven Pence Halfpenny *per* Barrel, and Eighteen Pence *per* Hogſhead.

V. And that no Boatman or Shallopman have for the Freight of One hundred Weight of any Goods, if he brings them from the North Side of this Iſland, between the Eaſtermoſt Point and *Point Negril*, to any Part of the South Side, more than Two Shillings, provided the ſame exceed not the Quantity of a Barrel.

VI. For every Barrel, Three Shillings.

VII. And for every Hogſhead, Eight Shillings; and ſo proportionably for a greater Quantity than a Barrel.

VIII. And for every Head of great Cattle brought alive, Ten Shillings.

IX. And for a Sheep or a Hog, Twelve Pence.

X. And for every Paſſenger, Two Shillings.

XI. And the ſame Rates they ſhall receive for Paſſengers, Goods, or Cattle, from the South Side to the North Side.

XII. And that each Boatman have for the Freight of any Goods from *Port Royal* to *Port Morant*, or *Richardſon's Bay*, or any Landing-place to *Port Royal*, Nine Pence *per* Hundred, not exceeding an Hogſhead, except it be Barrels, at Two Shillings *per* Piece.

XIII. And for an Hogſhead, Five Shillings.

XIV. And for Wood which they ſhall carry at Ten Shillings *per* Ton.

XV. And Eighteen Pence *per* Head for Paſſengers.

XVI. And that they ſhall have from *Port Royal* to any Part of St. *David's*, or from any Part of St. *David's* to *Port Royal*, Six Pence for every Hundred, not exceeding an Hogſhead.

XVII. And for every Hogſhead, Four Shillings.

XVIII. And for every Paſſenger, Twelve Pence *per* Head.

XIX. And for every Ton of Wood, Eight Shillings *per* Ton.

XX. And that the ſaid Boatmen or Shallopmen ſhall demand and receive for Freight of any Goods they ſhall carry to *Port Royal* from any Landing-place between *Point Negril* and *Point Pedro*, Eighteen Pence *per* Hundred.

XXI. Two Shillings *per* Barrel, and Six Shillings *per* Hogſhead.

XXII. And from *Aligator Pond*, Twelve Pence *per* Hundred, and Six Shillings *per* Hogſhead.

XXIII. And from *Milk River*, Twelve Pence *per* Hundred, Two Shillings *per* Barrel, Five Shillings *per* Hogſhead.

XXIV. From

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XXIV. From *Carliſle Town*, Twelve Pence *per* Hundred, Two Shillings *per* Barrel, and Four Shillings and Six Pence *per* Hogſhead.

XXV. And from *Old Harbour*, Six Pence *per* Hundred, Fifteen Pence *per* Barrel, Three Shillings *per* Hogſhead.

XXVI. And that the ſaid Boatmen ſhall receive the ſaid Rates from *Port Royal* to any of the ſaid Places.

XXVII. And whatſoever Shallopman, Boatman, or Wherryman, or any other Perſon or Perſons employed therein, ſhall demand greater Rates than is mentioned in this Act, ſhall forfeit Ten Pounds *Sterling* for every ſuch Default; the one Half to be to our Sovereign Lord the King for and towards the Support of the Government of this Iſland and the contingent Charges thereof; and the other Half to the Informer, who ſhall ſue for the ſame in any Court of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

No Negro to row in any Wherry, &c.

XXVIII. And be it further enacted and ordained, That no *Negro*, *Indian*, or *Mulatto*, ſhall be permitted or allowed to row in any Wherry belonging to this Iſland; and that no Owner of any Canoe ſhall be permitted to employ any of them, without having one White Man therein; and that all Owners of Boats, Wherries, or Canoes, ſhall every Night chain and lock every of them to ſome Bridge or firm Poſt, and alſo take away the Oars, Sails, and Rudder, and ſecure them in ſome ſafe Place under Lock and Key; and whatſoever Maſter or Owner of any Wherry, Boat, or Canoe, ſhall offend in any of the foregoing Clauſes, ſhall forfeit for every ſuch Offence Ten Pounds *Sterling*; to be recovered and diſpoſed of as afore mentioned.

Proviſo.

XXIX. Provided always, and it is hereby intended, That each Maſter or Owner of Wherry, Boat, or Canoe, ſhall have Six Months Time allowed them, from the making hereof, to furniſh themſelves with White Men, in order to the Performance of this preſent Act.

Account of Veſſels Loading to be left at the *Naval Office*.

XXX. And it is enacted and ordained by the Authority aforeſaid, That all Maſters of Boats, Shallops, or other Veſſels that trade from Place to Place, in or about this Iſland, ſhall, every time they arrive at *Port Royal*, leave an Account of their Loading in Writing at the *Naval Office* at any Time between Sun and Sun.

Proviſo.

XXXI. Provided, That their Loading is nothing but the Growth, Production, or Manufactury of this Iſland; and ſuch Notice and Account, given in Writing as aforeſaid, ſhall be accounted a ſufficient Entry, and diſcharge any ſuch Maſter from any Trouble whatſoever.

Perſons ſtealing Boats, &c. ſhall be deemed Felons.

XXXII. And it is further enacted and declared by the Authority aforeſaid, That any Perſon or Perſons, who ſhall hereafter be indicted or impleaded for the ſtealing or feloniouſly taking away of any Shallop, Boat, Wherry, Canoe, or other Veſſel from any Part of this Iſland, or ſhall be conſenting, aiding, or aſſiſting to the doing of the ſame, and ſhall thereof be convicted according to Law, ſhall be adjudged guilty of Felony.

Penalty on Perſons convicted of intending to ſteal Boats, &c.

XXXIII. And it is further enacted and declared, That if the Intention, Contrivance, or Complotting of any Perſon with others, to ſteal away any Shallop, Canoe, Boat, Wherry, or other Veſſel, ſhall evidently appear by ſufficient Proof, or their own Confeſſion; the Offender or Offenders, if free, ſhall be condemned by the Juſtices in Seſſions to pay the Sum of Ten Pounds to our Sovereign Lord the King, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof: And if the ſaid Perſon or Perſons ſo found guilty ſhall not preſently pay the ſaid Ten Pounds, or give Security for the ſame, the Juſtices in Seſſions ſhall preſently expoſe the Offender or Offenders to publick Sale for the Payment thereof, not exceeding the Term of Four Years: But if the ſaid Perſon or Perſons ſo offending ſhall be Servants, then he or they ſhall be ordered by the Juſtices in Seſſions to be whipt, not exceeding Thirty nine Laſhes on the bare Back, in ſome publick Place in the ſaid Iſland; and alſo, that he or they ſo offending ſhall, after their Time expired by Indenture, Cuſtom, or Covenant with his or their Maſter, Miſtreſs, or Employer, be ſold by the Juſtices in Seſſions for the Term of Four Years; and the Money that he or they ſhall be ſold for ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof.

No Credit to be given to any Seamen.

XXXIV. And it is further enacted by the Authority aforeſaid, That no Seaman belonging to any Ship or Veſſel whatſoever, ſhall be truſted for any thing; and that whoſoever ſhall truſt him or them, or retain any of them in their Houſes, ſhall loſe his or their Money which they ſo truſted them withal, and be likewiſe liable to be proceeded againſt, as by the Act of this Country for retaining Mens Servants, and to be ſubject to all thoſe Penalties therein mentioned, excepting Matter of Trade.

Retailer of Strong Liquors not to give Credit to any Seaman above 40s.

XXXV. And if any Victualler, or Retailer of ſtrong Liquors, do truſt any Seafaring Man, not generally reſiding upon or belonging to this Iſland, above the Value of Forty Shillings, though he have Bond or Bill for the ſame, he ſhall loſe his or their Money which they ſo truſted them withal.

XXXVI. And

XXXVI. And if any Commander of Ship or Veſſel ſhall entice away any Seaman belonging to any other Ship before he be lawfully diſcharged, he ſhall forfeit Fifteen Pounds *Sterling*; the one Half thereof to the Uſe of our Sovereign Lord the King, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to him or them that ſhall ſue for the ſame in any Court of Record, by Bill, Plaint, or Information; any thing herein, or in any other Act contained to the contrary notwithſtanding. 1683. Commander of Veſſel enticing Seamen from another Ship, forfeits 15 *l.*

XXXVII. And whereas many Times Diſputes have ariſen at *Port Royal* about executing the Warrants of Juſtices of the Peace upon the Water which is within the Body of the ſaid Precincts; it is therefore enacted by the Authority aforeſaid, That all ſuch Warrants given by Juſtices of the Peace againſt any Perſon or Perſons on Board any Ship or Veſſel, be directed to the Provoſt-marſhal, or his lawful Deputies, or any of the lawful Conſtables of the Place, according to the Tenor of the ſaid Warrant, who are hereby required and impowered to execute the ſaid Warrant, and to receive for the ſame Three Shillings. By whom Juſtices Warrants ſhall be executed on the Water.

XXXVIII. And whereas divers Seamen, out of an Opinion of employing themſelves here to better Advantage, have taken an Occaſion to deſert the Ships they belong unto juſt as they are ready to ſail, to the great endangering both Ship and Cargo; be it therefore enacted by the Authority aforeſaid, That whatſoever Seaman ſhall deſert the Ship he belongs unto, and ſhall be found or taken after the Departure of the ſaid Ship, and cannot produce ſufficient Teſtimony of his being lawfully diſcharged by the Maſter or Commander thereof, ſhall, by Order of any one Juſtice of the Peace, receive Thirty one Laſhes on the bare Back by the common Hangman, or other inferior Servant of the Priſon, who ſhall hereby be commanded, in any publick Manner the ſaid Juſtice ſhall direct. How Seamen ſhall be puniſhed who deſert their Ships.

XXXIX. And foraſmuch as divers Inconveniencies happen by the diſorderly going on Board Ships, before the Maſter hath been on Shore with the Governor, as well in the Miſcarriage of Letters, as the ingroſſing the moſt uſeful Commodites; be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, without Leave of the Chief Officer upon *Port Royal*, ſhall preſume to go on Board any Ship or Veſſel, at her entering into Habour, until the Marſhal, or his Deputy, have firſt been on Board with the Maſter, and brought him on Shore to the ſaid Chief Officer, under the Penalty of Forty Shillings; to be recovered by Warrant from any Juſtice of the Peace in the ſame Manner as is directed in the Act, *Impowering Juſtices to decide all Differences not exceeding Forty Shillings*; the one Half to the Informer, the other Half to the Poor of the Pariſh. Penalty on Perſons going on Board a Ship without Leave of the proper Officer, &c.

XL. And be it further enacted by the Authority aforeſaid, That no Maſter, Merchant, Factor, or other Perſon whatſoever, preſume to treat, grant, or obtain a Promiſe for any Merchandize or Commodity to the Value of Ten Shillings, or any Quantity of Tonage or Freight, until the Maſter hath been with the ſaid Governor or Commander in Chief of this Iſland, or ſome other Officer as he ſhall appoint, under the Penalty of Fifty Pounds on each Perſon that ſhall ſo treat, grant, or obtain a Promiſe, as aforeſaid, any Cuſtom or Uſage to the contrary heretofore notwithſtanding; the ſame to be one Half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer; to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland. No Merchant, &c. to treat with the Commander of any Veſſel before he has been with the Governor of the Iſland.

An Act for regulating Surveyors. N° 33.

BE it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon whatſoever ſhall preſume to act or perform the Office or Employment of a Surveyor-general within this Iſland before he hath given good and ſufficient Security in the Sum of Four Thouſand Pounds Current Money of this Iſland, for the juſt and faithful Performance of his Office and Truſt, according to the Duty of his ſaid Office and Employment, and that the Bonds for Security be carefully kept and recorded in the Secretary's Office; and upon any Damages received by any Perſon from the ſaid Surveyor, or any deputed under him, in the negligent or corrupt Performance of his or their Surveys, and due Application thereon made to the Governor, the ſaid Bond ſhall be put in Suit, and due Recovery thereof made for ſuch Damages as they ſhall prove to have received, in the ſame Manner and Form as is declared and provided by the Act, intituled, *An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office.* Surveyor-general not to act as ſuch before he has given Security for the faithful Performance of his Office.

II. Provided always, and it is the true Intent and Meaning of this Act, That it ſhall and may be lawful for any Perſon or Perſons whatſoever to ſurvey, re-ſurvey, and run any dividing Lines, and give Plats of any Land already patented, or that ſhall be patented or ſurveyed within this his Majeſty's Iſland, except where the King is or ſhall be a Party; in which Caſe only the Surveyor-general, his Deputy or Deputies, or any other Perſon there- Proviſo.

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unto lawfully authorized by the Governor for the time being, ſhall ſurvey, re-ſurvey, or run dividing Lines, and give Plats thereof; any Law, Cuſtom, or Uſage ſeeming to the contrary in any wiſe notwithſtanding.

Within what Time Warrants for ſurveying ſhall be executed, &c.

III. BE it further enacted and ordained by the Authority aforeſaid, That the Surveyor-general, or any other Perſon thereunto lawfully authorized, as aforeſaid, ſhall, by himſelf, or his Deputy or Deputies, execute every ſuch Order or Warrant for the ſurveying or running out of Lands, as from time to time ſhall be directed to him or them, as aforeſaid, within a reaſonable Time after the proving of ſuch an Order or Warrant; that is to ſay, in any Place within the Pariſhes of St. *Catharine*, *Port Royal*, or St. *Andrew*, within one Month; in any Place within the Pariſhes of *Vere*, *Clarendon*, St. *Dorothy*, St. *John*, St. *Mary*, St. *Thomas in the Vale*, St. *David*, or St. *Thomas to Windward*, within Three Months; and in any other Pariſh whatſoever within this Iſland, within Six Months; upon Penalty of one Hundred Pounds current Money of this Iſland for every ſuch Default, the one Half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Perſon aggrieved, or to him that ſhall ſue for the ſame; to be recovered in any of his Majeſty's Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Proviſo.

IV. PROVIDED always, That if any Perſon under the Pretence of ſurveying Lands, ſhall cauſe the Surveyor, or any of his Deputies, to take a Journey, and when he comes at the Time and Place aſſigned, ſhall not be there ready to ſhew him the Land that is to be ſurveyed, ſo that he cannot perform the ſame; the Parties aforeſaid ſhall pay and ſatisfy unto the ſaid Surveyor or his Deputy, Ten Shillings *per Diem* for every Day he ſhall ſo loſe, for his Pains and Charges in the ſaid Journey.

Where the Office of Surveyor-general ſhall be erected.

V. AND be it further enacted by the Authority aforeſaid, That the ſaid Surveyor-general, by himſelf, or his Deputy, erect his Office at the Town of St. *Jago de la Vega*, under the Penalty of Five Hundred Pounds Current Money of this Iſland, to be recovered and levied as aforeſaid; and that he, or his Deputy, keep or attend his Office from Eight to Eleven in the Forenoon, and from Two to Five in the Afternoon every Day, except *Sundays* and Holidays, under the Penalty of Forty Shillings, to be recovered by Warrant from any Juſtice of the Peace, to the Uſes aforeſaid; any Cuſtom or Uſage heretofore to the contrary notwithſtanding.

Proviſo.

VI. PROVIDED, That a Power be left in the King's Majeſty and his Officers, to re-examine the Surveyors for what concerns his Majeſty.

№ 34. *An Act for further directing and regulating the Proceedings of Surveyors.*

FORASMUCH as it hath been found by Experience, that the Act, intituled, *An Act for regulating Surveyors*, hath not ſufficiently provided againſt the ſeveral Abuſes by ſundry evil-diſpoſed Surveyors formerly, and now alſo often done and committed, contrary to their Duty and the Truſt repoſed in them, to the Damage of his Majeſty, and of his liege People of this Iſland, and which in ſome Caſes may tend to the utter Ruin of many of his good Subjects; for Prevention whereof, be it enacted by the Governor and Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That

Rules to be obſerved by Surveyors in meaſuring and platting out Lands, &c.

no Surveyor whatſoever preſume to deliver any Plat, whereby any Parcel of Land ſhall paſs the Broad Seal of this Iſland, before he hath himſelf, in his own Perſon, actually ſurveyed and meaſured the ſaid Land on every Side thereof, where it is acceſſible and poſſible to be done, and hath alſo ſeen the Lines fairly made, and the Corner-trees marked with the firſt Letters of his Name and Surname, expreſſed in the Order; and that the ſaid Plat ſhall truly repreſent the reſpective Parcels of Land, with their true Bounds and Bearings, and expreſſing the Sort of Wood every Corner-tree is of, with the Alphabetical Marks aforeſaid, and alſo inſert the Scale of the ſame, either drawn or expreſſed therein, under the Penalty of Fifty Pounds for every ſuch Default.

Surveyor to give Notice to the reputed Owner of Lands before he runs a Line upon them.

II. AND be it further enacted and ordained by the Authority aforeſaid, That where any Surveyor ſhall be called, or employed to ſurvey or re-ſurvey any Parcel of Land, bounding upon any Land already taken up, the ſaid Surveyor, before he preſume to run upon any ſuch Lines, ſhall give Notice thereof to the reputed Owners or Poſſeſſors of the ſaid Land, if he know them, and that they are Inhabitants in the Precinct where the ſaid Survey or Re-ſurvey is intended to be made or done; and if he does not know the Owners of the ſaid Land, or that the ſaid Owners dwell not in the Precinct, that then he give Notice to the Two next Neighbours, under the Penalty of Twenty Pounds for every ſuch Default.

III. AND

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III. And be it further enacted and ordained by the Authority aforeſaid, That no Surveyor ſhall preſume to ſurvey or lay out any Land to paſs the Broad Seal of this Iſland, directly or indirectly, for his own Uſe, but ſhall employ ſome other Surveyor to do the ſame, under the Penalty of Fifty Pounds.

Surveyor to lay out no Land for his own Uſe.

IV. And whereas ſundry Surveyors have practiſed to give Plats to paſs the King's Grant for ſeveral Parcels of Land, upon ſome of which Parcels they have, either through Negligence or evil Deſign, never made any actual Survey, *viz.* either marking one Corner-tree or more, and running and marking no Line, but projecting the Whole, or elſe ſome Part where the natural Situation of the Land would well permit the due Survey and cutting Lines, which tends to the Diſhonour of his Majeſty, and great Damage, even in ſome Caſe to the Ruin of many of his good Subjects of this Iſland; be it therefore enacted and ordained by the Authority aforeſaid, That all preſent Surveyors who have given Plats, whereby any Parcel of Land hath paſſed the Broad Seal of this Iſland, without actual ſurveying on all Sides where the Situation of the ſaid Land makes it poſſible to be done, ſhall, on Requeſt to them made at any Time, compleat any former Survey, according to the Plat by them given, running fair Lines where they had before projected only, and marking Trees in the ſaid Lines with Three Notches in Wood-land, according to Cuſtom, and making fitting Marks in other Lands.

Surveyor to reſurvey Lands, if his former Survey was not taken on all Sides.

V. And it is hereby alſo provided, That no Surveyor, or who hath executed the Office as a Surveyor, is hereby obliged to make Re-ſurvey, or cut Lines in Lands which have been patented more than Four Years; and whatſoever Surveyor, or that hath executed the Office of a Surveyor in this Iſland, ſhall, after due Requeſt, as aforeſaid, deny, refuſe, or delay to cut the aboveſaid Lines, and rectify the above mentioned Errors, in ſuch Manner as is before expreſſed, ſhall forfeit for every Three Months they ſhall ſo deny, refuſe, or delay the ſame, the Sum of Twenty Pounds, to be recovered in any Court of Record in this Iſland; one Half whereof to our Sovereign Lord the King, for the publick Uſe of this Iſland, and the other Half to the Informer, Party injured, or who will ſue for the ſame.

Proviſo.

VI. And for Prevention of Diſputes and Differences that may ariſe alſo of an evil Practice of ſome Surveyors, who, when an Order hath been given for running out Land, have made their own Advantage of the ſame, running it out for other Perſons; it is alſo hereby enacted, That every Surveyor ſhall, at any Time when an Order for the Survey of Land is offered him, immediately take a Memorandum thereof, with the Place where the Party bringing it deſires it ſhould be run out, mentioning alſo the Time of the Receipt thereof, and ſhall alſo write the ſame on the Back of the ſaid Order, and ſhall alſo ſurvey the ſaid Land accordingly for the ſaid Perſon, if he be ready in reaſonable Time, after due Notice by the ſaid Surveyor given to ſhew the ſaid Land; and if it ſhall ſo happen, that the ſaid Surveyor ſhall have received an Order already, which he believes is for the ſaid Parcel of Land, he ſhall then declare the ſame, and alſo ſhew the ſaid Order, if deſired, under the Penalty of Forty Pounds for every ſuch Default; and every Surveyor ſhall, on every Survey, return Two Plats of the ſaid Survey into the Patent-office, the one to be left there, and the other to be affixed to the Grant.

Surveyor to return Two Plats of his Survey into the Patent-office,

VII. And it is hereby alſo further enacted, That the Clerk of the Patents ſhall affix one of the Two Plats delivered him by the Surveyor (as above provided) unto the Grant, and keep the other Plat in the ſaid Office, without any Embezilment of the ſame; and that the Secretary of this Iſland ſhall record a true Copy of the Plat ſo affixed to the Grant or Patent, next unto the Record of each reſpective Grant or Patent; and that the Clerk of the Patents ſhall receive for writing an original Patent, Ten Shillings, and no more; and if the Clerk of the Patents, or Secretary of this Iſland, ſhall offend againſt any of the Clauſes of this Act, he or they, who ſhall ſo offend, ſhall forfeit the Sum of Twenty Pounds for each Offence by him or them committed.

one of which ſhall be affixed to the Grant, and the other kept in the Office.

VIII. And it is alſo hereby enacted, That every Surveyor, or Clerk of the Patents, or any other Perſon, in whoſe Hands ſoever any original Plat is lawfully lodged, ſhall, on Requeſt by any one made, give a true Copy of any Plat in their Poſſeſſion, and receive Two Shillings and Six Pence for the ſame, and no more; and whoſoever aforeſaid ſhall refuſe or deny the ſame, ſhall forfeit Forty Shillings for every ſuch Offence, to be recovered by Warrant from any Juſtice of the Peace; one Half of which Forfeiture to be received by the ſaid Juſtice, and paid by him to the Church-wardens, for the Uſe of the Poor of the Pariſh, and the other Half to the Party complaining.

Surveyor's and Clerk's Fees for the Copy of an original Plat.

IX. And whereas in an Act, intituled, *An Act for regulating Fees*, it is made lawful for every Surveyor to receive Two Pence *per* Acre for all Lands by him ſurveyed, *viz.* for the Survey of the ſame, and no more; it is hereby enacted by the Authority aforeſaid, That it ſhall and may be lawful for every Surveyor to receive one Penny *per* Acre more than the ſaid Act allows; that is, Three Pence *per* Acre for ſurveying any Quantity of Land, and no more.

Clauſe for adding one Penny to the Surveyor's Fees.

X. And

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Surveyor to give 300 *l.* Security for the juſt Performance of his Office.

X. And it is hereby enacted, That every Perſon who ſhall receive a Commiſſion from the Governor to be a Surveyor in this Iſland, ſhall give Bond, with ſufficient Surety, in the Sum of Three hundred Pounds, for the true and juſt Performance of his Office, before he act in the ſame, under the Penalty of Fifty Pounds for every ſuch Offence; the ſaid Bond to be carefully kept and recorded in the Secretary's Office, that upon any Negligence or corrupt Performance of their Office it may be put in Suit in the ſame Manner as is declared and provided for the Recovery of the Bond for Security given by all Maſters of Ships and Veſſels, and appointed in the Act, intituled, *An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office.*

Proviſo.

XI. But it is hereby provided nevertheleſs, That if the Surveyor-general ſhall keep his Office, and perform the Duties herein required, both in his own Perſon and his Deputies, and as is provided in an Act, intituled, *An Act for regulating Surveyors*; that then it ſhall and may be lawful for the ſaid Surveyor-general to employ Deputies, as formerly hath been done; but that his Bond of Four thouſand Pounds, mentioned in the aforeſaid Act, ſhall remain cautionary for Security, that himſelf, and alſo his Deputies, do well obſerve and perform all the Directions and Clauſes of this Act for future Surveys, under the ſeveral Penalties therein expreſſed.

Original Plats to be returned into the Patent-office.

XII. Be it further enacted by the Authority aforeſaid, That if *Robert Felgate*, or any Perſon whatſoever, who have any original Plat in their Cuſtody, do not return the ſame into the Patent-office at or before the Five and twentieth Day of *March* next enſuing, ſhall, upon due Conviction thereof, for every Plat ſo kept back, forfeit the Sum of One hundred Pounds.

Penalties, *&c.* how to be recovered and diſpoſed of.

XIII. And it is alſo hereby enacted and ordained by the Authority aforeſaid, That all Penalties mentioned in this Act, and no Proviſion made where they ſhall be recovered, or how diſpoſed of, ſhall be recovered by Bill, Plaint, or Information, in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; one Half of which Forfeitures ſhall be unto our Sovereign Lord the King, towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to him or them that ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

№ 35. *A ſupplemental and explanatory Act.*

Miniſter of the Pariſh to be one of the Veſtry.

Be it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Miniſter of each Pariſh be conſtantly one of the Veſtry; and that no Veſtry preſume to make any Order, without having firſt given timely Notice to the ſaid Miniſter to be there.

To whom the Inhabitants of the Pariſhes of St. *Dorothy*, &c. ſhall pay Pariſh Dues.

II. And be it further enacted by the Authority aforeſaid, That the Inhabitants of the Pariſh of St. *Dorothy* and St. *Thomas in the Vale*, pay all Pariſh Dues and Duties, as formerly, to the Pariſh of St. *Catharine*, till each be provided of a Church and Miniſter of their own; and that the Precincts of the *Magotty* pay all Parochial Duties to the Pariſh of St. *John* (Reparation of the Highways only excepted) until there be a Church built and a Miniſter ſettled in the Pariſh of St. *Thomas in the Vale*; and when the Pariſh of St. *Dorothy* ſhall be provided of a Church and Miniſter, that then the Bridge lying over *Black River* ſhall be built and repaired, whenſoever there ſhall be Occaſion for the ſame, at the common and equal Charge of the Pariſhes of St. *Catharine* and St. *Dorothy*; and the Highways from the Ford of *Rio Cobre* at the *Creſcent* unto Major *George Needham*'s Walk, to be kept and maintained at the Charge of the Inhabitants of St. *Thomas in the Vale*.

The Eaſt and Weſt Bounds of the Pariſhes of St. *Elizabeth* and *Clarendon*.

III. Be it enacted by the Authority aforeſaid, That a North-north-weſt Line, from the Head of *Swift River* to the South Bounds of St. *Anne*'s, ſhall be the Eaſterly and Weſterly Bounds of the Pariſhes of St. *Elizabeth* and *Clarendon*.

No common Horſe-catcher to ride in any *Savanna* to take up Horſes, till he has given 100 *l.* Bond to the Juſtices, *&c.*

IV. And be it further enacted by the Authority aforeſaid, That from and after the Twentieth Day of *December*, in the Year of Our Lord One thouſand ſix hundred eighty and three, no common Horſe-catcher preſume to ride or drive in any *Savanna*, to take up any Horſes, Mares, or Colts, without having firſt given Bond, with ſufficient Security, in the Sum of One hundred Pounds, to the Juſtices ſitting in open Seſſions of the Peace for that Precinct where the ſaid Horſe-catcher ſhall ride or drive, as formerly, under the Penalty of Ten Pounds for each Offence; which Bond is to be taken in the King's Name, and due Recovery thereon to be had, as is appointed in an Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office; and the ſaid Horſe-catcher having given ſuch Bond, with Security aforeſaid, ſhall obtain an Order from the Juſtices then ſitting in Seſſions, to ride and drive, as aforeſaid; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

V. And

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V. AND be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *December*, in the Year of our Lord One thouſand ſix hundred eighty three, no common Horſe-catcher whatſoever ſhall mark Horſe, Mare, or Colt, or any Sort of neat Cattle, without having firſt given Notice in the Pariſh Church the Sabbath-day before they intend to mark, under the Penalty of Twenty Pounds for every ſuch Default.

Nor mark any Cattle without given Notice in the Church.

VI. AND it is further enacted by the Authority aforeſaid, That from and after the firſt Day of *December*, in the Year of our Lord One thouſand ſix hundred eighty three, it ſhall be inſerted in the Bond of Maſters of Ships or Veſſels, giving Security in the Secretary's Office, That no Maſter of any Ship or Veſſel preſume to carry off this Iſland any Slave or Slaves without a Ticket under the Hand of the Governor or Commander in Chief; wherein ſhall be inſerted the Owner's Name, who ſhall alſo make Oath before ſome one Juſtice of the Peace, that the ſaid Slave or Slaves is his or hers, or that they have ſufficient Power from the Owner of ſuch Slave or Slaves to tranſport the ſame, upon Forfeiture of double the Value of ſuch Slave or Slaves ſo carried off without ſuch Ticket; one Half of which Forfeiture to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, the other Moiety to him or them that ſhall ſue for the ſame; and that the Secretary take Two Shillings and Sixpence, as his Fee, for each ſuch Ticket, provided he inſert as many in each Ticket as the Owner of the Slave or Slaves ſhall require.

Clauſe directing ſome additional Words to be inſerted in the Bond given by Maſters of Veſſels, &c.

VII. AND whereas it is thought fit and neceſſary, that Night-guards be duly and conſtantly kept in the Town of St. *Jago de la Vega*, be it therefore enacted and ordained by the Authority aforeſaid, That from and after the Twentieth Day of *October*, in the Year of our Lord One thouſand ſix hundred eighty three, at the Town of St. *Jago de la Vega* there be conſtantly and duly kept, each Night in the Year, a Guard, conſiſting of Eleven Perſons (that is to ſay) Three Troopers, with a Corporal or other Officer, and Six Foot-ſoldiers, with a Corporal or other Officer, ſuch as the Captains of Troops and Companies, or their ſuperior Officers, ſhall appoint; and whatſoever Officer or Soldier ſhall neglect his or their Duty herein, ſhall be fined in Manner as it appointed for Non-appearance in Arms in the Act for ſettling the Militia; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

A Guard to be nightly kept at St. *Jago de la Vega*.

VIII. AND be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Captain of a Troop or Company within this Iſland, or other Officer, impowered by the Act for ſettling the Militia, to iſſue out Warrants for the levying of ſuch Fines and Forfeitures relating to any Perſon under the Degree of a Captain, and to direct the ſame as well unto the Marſhal of each Regiment, as the Serjeant or Corporal of the reſpective Troop or Company; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

By whom Warrants for levying Forfeitures may be iſſued.

IX. AND be it further enacted by the Authority aforeſaid, That the Surveyors of the Highways for the ſeveral Pariſhes and Precincts of this Iſland for the time being, upon any ſudden or extraordinary Occaſions for the repairing the Highways, ſhall repreſent the ſame to the Juſtices of the reſpective Precincts where the Ways are broken; upon which the major Part of the ſaid Juſtices, together with the Surveyors, are hereby impowered at any ſuch Time or Times to lay a Tax upon the Inhabitants of the ſaid Precincts, of ſuch Money, Labour, or other Things, as to them ſhall ſeem neceſſary and convenient for the immediate Repair of the ſame; any former Law to the contrary notwithſtanding.

Surveyors and Juſtices may lay a Tax for Repair of Highways.

X. BE it alſo enacted by the Authority aforeſaid, That when any Sugar, Ginger, Anotto, Indico, Cacao, Cotton, or Piemento (being the Production of this Iſland) ſhall be taken upon Writ of *Venditioni exponas*, the ſame ſhall be carried to *Port Royal*, at the Charge and Riſque of the Defendant, and there be appraiſed by the Church-wardens for the time being, in Abſence of one of the ſaid Church-wardens, then by the Church-wardens preſent, and either of the Church-wardens of the foregoing Year; and in Abſence of both the Church-warden for the time being, then by both the Church-wardens that were for the preceeding Year, the ſaid Church-wardens being firſt ſworn to appraiſe the ſaid Goods according to their juſt Value, without Favour or Affection to either Party, which Oath any one Juſtice of the Peace is hereby impowered to adminiſter; and the ſaid Goods ſo taken and appraiſed, ſhall by the Provoſt-marſhal be forthwith delivered to the Plaintiff for ſo much Money as the ſame ſhall be appraiſed at, which ſhall be taken and accepted by the Plaintiff as ſo much Money effectually paid him; any former Law to the contrary notwithſtanding.

Ginger, &c. taken by Writ of *Venditioni exponas*, to be carried to *Port Royal*, and ſold there.

XI. And it is further enacted by the Authority aforeſaid, That the ſaid Church-wardens ſhall receive from the Defendant Four Pence out of every Twenty Shillings Value of what they ſhall ſo appraiſe; and if they, or any of them, ſhall refuſe to appraiſe upon Oath the Goods ſo taken as aforeſaid, he or they ſo refuſing, ſhall forfeit for every ſuch Refuſal the Sum of Ten Pounds, to be recovered by Bill, Plaint, or Information, in any Court of Record within this Iſland; the ſame to be one Half to our Sovereign Lord the King, his Heirs

Church-wardens Fees for appraiſing Goods.

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Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or he that ſhall ſue for the ſame.

Freeholder's Qualification.

XII. Be it alſo enacted by the Authority aforeſaid, That none ſhall be deemed or adjudged to the Freeholders of known Reſidence, unleſs he poſſeſs Five Acres planted, or a Houſe of the Value of Ten Pounds *per Annum* on his Freehold, and all others ſhall be liable to an Arreſt; any former Law or Cuſtom to the contrary notwithſtanding.

Priſoner not to have the Benefit of the Act, until he has given in a Liſt of all Debts, *&c.* due to him, and taken this Oath.

XIII. And whereas it is provided by an Act, intituled, *An Act for eſtabliſhing of Courts, and directing the Marſhal's Proceedings*, That poor Priſoners, that have not wherewith to maintain themſelves, may, under certain Terms and Conditions therein expreſſed, be publickly let to hire, towards Satisfaction of their Creditors, by which divers Frauds have been committed; be it therefore enacted by the Authority aforeſaid, That no Priſoner hereafter ſhall have the Benefit of that Act, until he or ſhe ſhall have firſt delivered into the Court a true and perfect Liſt of all the Debts, Goods, and Monies that he or ſhe hath or can claim in this Iſland, and there made a full Aſſignment and Delivery thereof unto the Provoſt-marſhal, for the Uſe of the Creditors, and have further taken in open Court this following Oath:

I A. B. *do ſwear, That I have now delivered into the Court a true and perfect Liſt of all the Debts, Goods, and Monies which I have, or can any way lay claim unto in this Iſland; and that there hath not been, either by myſelf, or any other by my Direction, made over, concealed, or any ways ſecured for me, any other Goods, Debts, or Monies, more than is there expreſſed, excepting only Five Pounds reſerved for my neceſſary Subſiſtence:*

So help me God.

Provoſt-marſhal to account with Creditors for ſuch Goods, *&c.*

XIV. And the Goods, Debts, and Money ſo aſſigned and delivered unto the Provoſt-marſhal, ſhall be by him accounted for, and paid unto the ſaid Creditors in ſuch Proportions as by the ſaid Act is directed for the Hire or Wages of the ſaid Servant; any Law or Cuſtom heretofore to the contrary notwithſtanding.

Diſpoſition of Forfeitures.

XV. Provided alſo, that the ſeveral Fines, Forfeitures, and Penalties afore mentioned in this Act, and not declared where they ſhall be recovered, and how diſpoſed of, be one Moiety to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and contingent Charges thereof; the other Moiety to the Informer, or him that ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

N° 36. *An Act encouraging Shipping, and aſcertaining Tonnage.*

Expired.

N° 37. *An Act for keeping open old Paths to publick Watering-Places.*

Juſtice to Iſſue his Warrant to the Conſtable to ſummon a Jury to lay out a Path or Road, *&c.*

FORASMUCH as it hath not been hitherto provided by any of the Acts of this Country to give full and ſufficient Power to the Juſtices of the Peace to grant Warrants to lay out, upon Occaſion, broad Paths to common and known Watering-places, whereby the Inhabitants of this Iſland may in Time be much prejudiced; be it therefore enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of ſame, That upon Notice given to any Juſtice of the Peace, he ſhall, on Requeſt, iſſue his Warrant to the next Conſtable in the ſaid Pariſh, to ſummon a Jury to meet at ſome convenient Place and Day therein to be mentioned, to view and lay out ſuch Path or Roads as have been uſed to any publick, common, or known Spring, River, or Watering-place for Seven Years laſt paſt; which ſaid Juſtice is hereby impowered to adminiſter an Oath to the ſaid Jury, that according to the beſt of their Skills and Judgements they will lay out ſuch Way, as aforeſaid; which having done, the Surveyor of the Highways is to make Return thereof to the Juſtices of the next Quarter-ſeſſions of the Precincts, and if approved by the ſaid Juſtices, ſhall be there filed or recorded, and after known for a publick Highway; and where new Fences on both Sides of the Path ſhall be needful, the ſame to be made and maintained at the Charge of the Precincts.

An

An Act appropriating certain Lands upon Port Royal *to the publick Use*

1683. № 38.

WHEREAS ſome private Perſons have patented Parcels of Land upon *Port Royal*, and built Houſes very near unto the Walls of *Chriſt Church* and *Fort-Rupert*, which not only incumber both, but may happen to endanger their Loſs or Ruin; be it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon whatſoever, having Land on the South Side *Port Royal*, between *Chriſt Church* and the Sea, or at the Eaſtermoſt End of *Port Royal*, within Two hundred Foot of the Wall that runs near North and South croſs *Port Royal*, commonly known by the Name of, *The Breaſt Work*, ſhall ever hereafter preſume to build any Houſe, or other Fabrick thereon; and if any Houſes are already erected within the Limits aforeſaid, they ſhall be pulled down; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Houſes built, or to be built, within 200 Foot of the *Breaſt Work* at *Port Royal*, ſhall be pulled down.

II. AND that all Perſons, having Land or Houſes within the Limits aforeſaid, may receive juſt and due Satisfaction for the ſame, it is enacted and ordained by the Authority aforeſaid, That Capt. *Peter Beckford*, Capt. *Reginold Wilſon*, Capt. *Thomas Clerk*, and any other Perſon choſe by the Proprietor, are hereby appointed and impowered to view the ſaid Lands and Houſes, as aforeſaid, and to appraiſe them according to their juſt and true Value; and whatſoever the ſaid Appraiſers, or any Two of them, being firſt ſworn by any One of his Majeſty's Juſtices of the Peace, who is hereby impowered to adminiſter the ſame, to appraiſe the ſaid Lands or Houſes according to the beſt of their Judgements, ſhall judge to be the Value of the ſaid Lands and Houſes, ſhall be deemed and taken for the full Worth of the ſaid Lands and Houſes, and paid to the Proprietors out of his Majeſty's Treaſury of this Iſland; which Payment, or (in caſe of the Refuſal of the Proprietors) Tender of Payment, ſhall for ever be a good Bar againſt any Title to any Land or Houſes within the Limits aforeſaid; any Patent, Deed, Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Perſons having Lands or Houſes there, to receive ſuch a Conſideration for them as they ſhall be appraiſed at.

An Act for puniſhing of idle Perſons and Vagabonds, and for Relief of the Poor.

№ 39.

WHEREAS divers idle Perſons and Vagabonds, though of able Bodies, uſe Loitering, and refuſe to work for reaſonable Wages in the ſeveral Parts where ſuch Perſons happen to dwell and abide, not having Living otherwiſe to maintain themſelves, whereby the Charge of ſeveral Pariſhes may be much increaſed; for Prevention whereof, be it therefore enacted by the Governor, Council, and Aſſembly, and be it hereby enacted by the Authority of the ſame, That from and after the firſt Day of *January*, in the Year of our Lord God One thouſand ſix hundred eighty three, the Juſtices and Veſtry of each Pariſh within this Iſland, or the major Part of them (if to them it ſhall ſeem convenient and neceſſary) are hereby fully impowered to lay a reaſonable Tax for the building One or more Houſes of Correction within their ſeveral Pariſhes, and for the providing Stocks of Money, and all other Things neceſſary for the ſame, and for governing the ſame, and for Correction and Puniſhment of Offenders thither committed; ſuch Orders as the ſaid Juſtices and Veſtry, or the major Part of them, ſhall from time to time make, reform, or ſet down in that Behalf, ſhall be of Force, and be duly performed and put in Execution; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

The Juſtices and Veſtry of every Pariſh impowered to build Houſes of Correction for puniſhing Offenders there, &c.

II. AND be it further enacted by the Authority aforeſaid, That all Rogues, Vagabonds, and other idle Perſons that ſhall be found wandering from Place to Place, or otherwiſe miſordering themſelves, ſhall be apprehended by the Conſtables or Tythingmen of each reſpective Pariſh within this Iſland, and to carry him or her ſo apprehended before ſome one Juſtice of the Peace of that Precinct; and if upon Examination it appear, that the Apprehended be Perſons fit and able to work, and do refuſe ſo to do, but wander about, as aforeſaid; that then the ſaid Juſtices ſhall order him or her to be whipped on the naked Back, not exceeding Thirty nine Laſhes in the whole, by the ſaid Conſtable or Tythingman, and ſhall be forthwith ſent from Pariſh to Pariſh by the Conſtables or Tythingmen of the ſame, the next ſtraight Way to the Pariſh where he or ſhe dwelt for one whole Year then laſt paſt. And for ſuch other poor impotent Perſons wandering from Place to Place, as aforeſaid, they ſhall be ſent from Pariſh to Pariſh by the Conſtables or Tythingmen of the ſame, to the Place of their laſt Abode.

Perſons found wandering or miſordering themſelves, how to be puniſhed.

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Proviſo.

III. PROVIDED always, and it is hereby further enacted, That no ſuch Perſon or Perſons as above mentioned, ſhall be returned as aforeſaid, if he, ſhe, or they have continued to dwell in the ſaid Pariſh above the Space of Three Months; and whatſoever Conſtable or Tythingman that ſhall neglect his or their Duty herein, ſhall forfeit the Sum of Forty Shillings for every Default; one Half of which Forfeiture to be to the Church-wardens, for the Poor of the ſaid Pariſh; and the other Half to the Informer; to be recovered before any Juſtice of the Peace; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Church-wardens impowered to bind poor Children Apprentices.

IV. AND be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Church-wardens of each Pariſh within this Iſland, with the Aſſent of any Two Juſtices of the Peace in that Precinct, to bind any poor Children belonging to the ſaid Pariſh to be Apprentices where they ſhall ſee convenient, until ſuch a Man-child ſhall come to the Age of One and twenty Years, and ſuch a Woman-child to the Age of Eighteen Years, or the Time of her Marriage; to be as effectual, to all Intents and Purpoſes, as if ſuch Child was of full Age, and by Indenture of Covenant bound him or herſelf; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

№ 40. *An Act for vacating ſeveral irregular Grants, ſurreptitiouſly obtained, for Royal Mines, Shoal-water, Anchorage, and Fiſhery.*

WHEREAS there have been ſeveral irregular Patents and Grants ſurreptitiouſly obtained, contrary to former Uſage, Law, and publick Good of his Majeſty's Iſland, for Fiſhery and Shoal-water, in and about the Habour of *Port Royal*, and other Harbours, and the Water before ſeveral Perſons Land, and alſo Royal Mines, and alſo the Parade in the Town of St. *Jago de la Vega*, and the Fiſhery in and between *Rio Cobre*, and the Salt River in St. *Andrew*'s Pariſh; it is therefore enacted and ordained by the Governor, Council, and Aſſembly, and be it enacted by the Authority of the ſame, That all and every ſuch Grants and Patents are and be hereby declared null and void, to all Intents and Purpoſes whatſoever; the ſaid Letters-patents, or any thing in them, or any of them, contained, or other Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Grants of Royal Mines, &c. ſurreptitiouſly obtained, declared void.

Patents prejudicial to Anchorage, &c. declared void.

II. AND that no ſuch Grants or Patents as are now, or ſhall be hereafter granted, that ſhall be prejudicial to Anchorage, Navigation, or common Fiſhery, ſhall be good.

Proviſo,

III. PROVIDED always nevertheleſs, That all Owners of any Land adjoining upon any Harbour, Bay, or Creek, ſhall have Liberty to take up the Shoal-water to make Wharfs, or Bridges convenient, before their own Land, and none elſe; and that all Patents already granted for Shoal-water, or building of Wharfs, or Bridges before any Man's own Land, ſhall be deemed good.

Patents granted to the Pariſh of *Port Royal* declared valid, &c.

IV. AND whereas there have been ſeveral Patents for the Parade-place upon *Port Royal*, and for Eleven hundred Acres of Land, without the *Breaſt Work*, or of Part thereof, granted to ſeveral Perſons ſince Grant thereof was made to ſeveral Perſons, and their Heirs or Succeſſors, to the Uſe of the Pariſh of *Port Royal*, under Pretence that the ſaid Grants to them to the ſaid Uſes are void in Law; be it enacted and ordained by the Authority aforeſaid, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid ſeveral Grants, or any other Grants or Patents, firſt made to the Uſe of the Pariſh, ſhall be deemed good and valid to the paſſing of the Premiſſes therein contained; and that all other Patents granted to any Perſon or Perſons whatſoever, of any Part of the ſaid Parade-place, or of the ſaid Eleven hundred Acres of Land, or any thing elſe ſince the Dates of the ſaid Grants, or any of them, to the Uſe aforeſaid, be and are hereby adjudged null and void, to all Intents and Purpoſes whatſoever; any thing in the ſaid Letters-patents, or any of them, or any other Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

№ 41. *An Act for raiſing a publick Revenue, for the Support of the Government of this his Majeſty's Iſland.*

Repealed.

Here end the Laws confirmed by Order in Council of 17 *April*, 1684, as mentioned in Folio 29.

An

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N° 42.

An Act for eſtabliſhing a perpetual Anniverſary Faſt on the Seventh of June.

FORASMUCH as it hath pleaſed Almighty God, the great Creator and Judge of Heaven and Earth, on the Seventh Day of *June*, One thouſand ſix hundred ninety two, juſtly to puniſh the Inhabitants of this Iſland for their manifold Sins and Wickedneſſes committed againſt his Divine Majeſty, by a moſt terrible and dreadful Earthquake, which not only laid waſte our Eſtates and Places of Habitation in general, but alſo deſtroyed many hundreds of People; which tremendous Judgement was ſucceeded by a raging Sickneſs and Mortality, that few or no Families eſcaped: Now, that ſo ſignal a Viſitation may be had in perpetual Remembrance, and we and our Poſterity may, by humbling ourſelves, endeavour to appeaſe God's imminent Wrath, and prevent heavier Judgements, we, your Majeſties moſt dutiful and loyal Subjects, your Majeſties Lieutenant-Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, do moſt humbly beſeech your moſt Sacred Majeſties, that it may be enacted by their Majeſties Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That every Seventh Day of *June* (unleſs it falls out to be on the Lord's Day, and then the Day following) ſhall be for ever hereafter ſet apart, to be kept and obſerved by all the Inhabitants of this Iſland as an Anniverſary Day of Faſting and Humiliation; and that all and every the Inhabitants aforeſaid, ſhall, upon the ſaid Day, annually reſort to ſome uſual Place where Prayers and Preaching are uſed to be miniſtred, and there orderly and devoutly abide during the Celebration of Divine Service, by Prayers, Preaching, Singing of Pſalms, *&c.*

The 7th of *June* to be annually kept as a Day of Faſting and Humiliation.

II. AND to the end that all Perſons may be put in Mind of their Duty therein, and be the better prepared to diſcharge the ſame with that Piety and Devotion as becomes them; be it further enacted, That every Miniſter ſhall give Notice to his Pariſhioners in the Church, or other publick Place of Divine Worſhip, at Morning Prayer, the *Sunday* next before every ſuch Seventh Day of *June*, for the Obſervation of the ſaid Day; and that he provide a Sermon ſuitable to that Occaſion; and that in ſuch Pariſhes where there is no Miniſter, this Act ſhall be publiſhed annually in the Seſſions next before the Seventh of *June*, as aforeſaid.

Miniſter to give Notice of the ſaid Day the *Sunday* before, and preach a Sermon ſuitable to the Occaſion, *&c.*

III. AND be it further enacted and ordained by the Authority aforeſaid, That no Perſon or Perſons whatſoever, neither by themſelves, Servants, or Slaves, ſhall do, or cauſe to be done any Manner of Work in his or their Trade, Calling, or Plantation; and that no Shop, Tavern, Coffee or Punch-houſe be kept open on the ſaid Day, on Penalty of forfeiting Forty Shillings for every Perſon, by himſelf, Servant, or Slave ſo offending, as aforeſaid; to be recovered before any of their Majeſties Juſtices of the Peace, who are hereby required and impowered to award the ſame; one Half of which Forfeiture ſhall be to the Church-wardens, for the Uſe of the Pariſh; and the other Half to the Informer, or him that ſhall ſue for the ſame.

No Work to be done on the ſaid Day, nor Shops, *&c.* kept open.

W. Bridgeman.

An Act for raiſing Money for and towards the Defence of this Iſland.

N° 43.
Expired.

An Act to encourage ſeafaring Men, and other their Majeſties Subjects.

N° 44.
Repealed.

An Act for making Kingſton a Pariſh.

N° 45.

WHEREAS it hath pleaſed Almighty God, by his late dreadful Judgement, to lay waſte and deſtroy the Habitations and Dwelling-places of many of the People late of *Port Royal*, whereby they were neceſſitated to reſort to ſome more convenient Place, wherein to unite and ſettle for the Advantage of Trade, and better Convenieney

1693. of Living; and did, by the Encouragement of the then Government, repair to and ſettle upon a certain Place now called and known by the Name of *Kingſton*, in the Pariſh of St. *Andrew*, on the Harbour of *Port Royal* aforeſaid, and have, with great Trouble and Charge, made a conſiderable Progreſs in building and ſettling there; and being willing and deſirous there to continue, by reaſon of the convenient Situation of the Place, and Commodiouſneſs of the Channel and Harbour; be it therefore enacted and ordained by their Majeſties Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the aforeſaid Place, commonly called and known by the Name of *Kingſton*, lying in the Pariſh of St. *Andrew*, on the Harbour of *Port Royal*, bounded Southerly by the Harbour, Weſterly and Northerly by the Line of the Land of Sir *William Beeſton* Knight, and to continue from a *Calabaſh*, his North-eaſterly Corner-tree, by a ſtraight Line, to the Foot of the long Mountain, Eighty Chain Diſtance from the Sea; and from thence towards three Rivers of the ſame Diſtance from the Sea, until it meets with the Bounds of the Pariſh of *Port Royal*; and alſo all that Part of the Harbour which lies to the North-eaſterly and Eaſterly Part of the middle Ground, ſhall be, and for ever hereafter be taken and eſteemed, to all Intents and Purpoſes, an entire and diſtinct Pariſh, ſeparate from the ſaid Pariſh of St. *Andrew*, and be called and known by the Name of the Town and Pariſh of *Kingſton*; and have, uſe, exerciſe, and enjoy all and every the Powers, Authorities, Benefits, Privileges, Rights, Immunities, and Cuſtoms, that all or any of the Pariſhes or Precincts within this Iſland have, or ought to have, uſe, exerciſe, or enjoy of common Right, or by virtue of any general Act or Acts of this Country, as fully, amply, and effectually, as if the ſame had then been a diſtinct and ſeparate Pariſh or Precinct, and therein by Name expreſly mentioned and ſpecified; and particularly, that there ſhall be choſen Three Repreſentatives to ſerve in every Aſſembly hereafter, or after the firſt Prorogation of this preſent Aſſembly, for the ſaid Town and Pariſh of *Kingſton*; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

How the Pariſh of *Kingſton* ſhall be bounded.

Three Repreſentatives to be choſen out of it to ſerve in Aſſembly.

A Court of Common Pleas, &c. to be held in the ſaid Town.

II. AND be it further enacted and ordained by the Authority aforeſaid, That for the Eaſe of the Merchants and trading People of the ſaid Town of *Kingſton*, there be erected, eſtabliſhed, and held in the ſaid Town, a Quarter-ſeſſions for the Conſervation of the Peace, and a Court of Common Pleas, with the ſame Power and Authority that is or hath been lately held or exerciſed at *Port Royal*; which ſaid Court ſhall be held the firſt Time on the ſecond *Thurſday* in *October*, in this preſent Year One thouſand ſix hundred ninety three, and afterwards once every Two Months; and the Seſſions every Three Months; any thing in this Act to the contrary notwithſtanding.

Officers to keep their Offices in the Town of *Kingſton* as in *Port Royal*, &c.

III. AND be it further enacted and ordained by the Authority aforeſaid, That the Receiver-general, Secretary of this Iſland, and Naval Officer for the time being, do, by themſelves or Deputies, within one Month after the paſſing this Act, keep, or cauſe to be kept in the Town of *Kingſton* aforeſaid, their ſeveral and reſpective Offices, as they now do, or heretofore have or ought to have done on *Port Royal*, on Penalty of Fifty Pounds each, for every Month they, or any of them, ſhall neglect or refuſe to do the ſame; to be recovered againſt them, or any of them, by Bill, Plaint, Information, or otherwiſe, in the Supreme Court of this Iſland; the one Half to their Majeſties, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or him that ſhall ſue for the ſame; wherein no Eſſoin, Injunction, Protection, Wager of Law, or *Non vult ulterius proſequi* ſhall be allowed.

№ 46. *An Act for the better ſecuring of* Port Royal.

WHEREAS the Town of *Port Royal* is a Town of a very conſiderable Trade, and of great Strength to reſiſt the Enemy in Time of War, by reaſon of their Majeſties Fortifications, and a great Number of Houſes, through the Mercy of God, left ſtanding thereon: And whereas by the late dreadful Earthquake, the Land on the Back Sea Side is ſettled lower than it was; by reaſon whereof the Sea hath more Power to gain upon it, and if not timely prevented by wharfing, to reſiſt the Violence thereof, may endanger the Houſes that are ſtanding on that Sea Side; for Prevention whereof, be it enacted and ordained by their Majeſties Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful from and after the Twenty fifth Day of *July*, in the Year of our Lord One thouſand ſix hundred ninety three, for the Juſtices and Veſtry of the Pariſh of *Port Royal*, or the major Part of them, to aſſeſs, tax, and levy ſuch Sum or Sums of Money upon all and every the Freeholders of the ſaid Pariſh of *Port Royal*, as to them ſhall ſeem meet and convenient, for and towards the wharfing, or otherwiſe ſecuring the Town of *Port Royal* towards the great Sea Side above mentioned.

Juſtices impowered to levy a Tax on the Freeholders in the Pariſh of *Port Royal*, for preſerving it.

II. AND

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II. AND whereas after the Wharfs are made, they may from time to time want repairing, be it therefore further enacted by the Authority aforeſaid, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful for the Juſtices and Veſtry of *Port Royal* aforeſaid, or the major Part of them, to aſſeſs, tax, and levy, yearly and every Year, ſuch Sum or Sums of Money upon the Freeholders of the ſaid Pariſh of *Port Royal*, at ſuch Times as to them ſhall ſeem requiſite or neceſſary for repairing and maintaining the ſaid Wharfs; and that the Conſtable or Conſtables of the ſaid Pariſh of *Port Royal* ſhall gather in the aboveſaid Monies ſo to be levied, aſſeſſed, and taxed, as before mentioned and appointed by this preſent Act, and pay the ſame into the Hands of the Church-wardens of the ſaid Pariſh of *Port Royal* for the time being, deducting to him or themſelves Four Pence in the Pound for collecting the ſame. And in caſe any Conſtable or Conſtables ſhall neglect his or their Duty in collecting, gathering, or paying in the Money ſo collected by virtue of this Act; he or they ſo neglecting his or their Duty therein, ſhall forfeit for every ſuch Offence the Sum of Twenty Pounds.

Conſtable's Fees for collecting ſuch Tax.

III. AND in caſe any Perſon or Perſons ſhall refuſe or delay to pay his or their Tax ſo to be aſſeſſed, taxed, and levied, as in this preſent Act is preſcribed; be it further enacted and ordained by the Authority aforeſaid, That it ſhall and may be lawful to and for any Two of their Majeſties Juſtices of the Peace of the Pariſh of *Port Royal* aforeſaid, to iſſue out their Warrant of Diſtreſs, directed to any Conſtable of the ſaid Pariſh, to levy the ſame upon the Goods or Chattels of him, her, or them, ſo refuſing or delaying to pay the ſame, and ſell the ſame at publick Outcry, returning the Overplus (if any be) to the Owner.

The Tax on Non-payment to be levied by Diſtreſs.

IV. AND to the Intent that the Money which ſhall be collected and raiſed by virtue of this Act, may be applied to the Uſe and Purpoſe by this Act mentioned and directed, be it further enacted and ordained by the Authority aforeſaid, That the Church-warden or Church-wardens of the ſaid Pariſh of *Port Royal* for the time being, ſhall and are hereby required, from time to time, to pay the Money ariſing by virtue of this Act to ſuch Perſon or Perſons, and to ſuch Uſes, as the Juſtices and Veſtry, or the major Part of them ſhall direct and appoint; and the Church-wardens of the ſaid Pariſh for the time being ſhall keep a diſtinct Account of the Money by them and each of them received by virtue of this Act, and likewiſe render a true and juſt Account thereof to the Juſtices and Veſtry of the ſaid Pariſh of *Port Royal*, when thereunto required, and alſo pay the full Ballance of the ſame unto the ſucceeding Church-wardens, or to whomſoever the ſaid Juſtices and Veſtry, or the major Part of them, ſhall direct and appoint, under the Penalty of Fifty Pounds for every Offence committed contrary to their Duty in this Act enjoined.

To be paid by the Church-wardens to Perſons appointed by the Juſtices, &c.

V. AND whereas ſeveral of the Freeholders of *Port Royal* may be, or are not reſident or Inhabitants on the ſaid Place; for the better Recovery of the ſaid Tax to be aſſeſſed, as aforeſaid, be it further enacted and ordained by the Authority aforeſaid, That in ſuch Caſes, from and after the Twenty fifth Day of *July*, One thouſand ſix hundred ninety three, an Action of Debt ſhall lie in any Court of Record, or before any Juſtice of the Peace, as in other Debts, for the Church-wardens of the reſpective Pariſh of *Port Royal*, and their Succeſſors, to recover againſt any of the ſaid Perſons rated or aſſeſſed by virtue of this Act, or any of them, or their Heirs, Executors, Adminiſtrators, Aſſigns, Agents, or Attornies here, all ſuch Sum and Sums of Money as are or ſhall be rated or aſſeſſed upon them, as aforeſaid: And that the ſame Rate or Aſſeſſment, produced in ſuch Court of Record, or before ſuch Juſtice of the Peace, as aforeſaid, ſhall be ſufficient Evidence and Proof for the Recovery of all ſuch Sum or Sums of Money ſo rated or aſſeſſed, as aforeſaid.

How to be recovered of Freeholders not reſident.

VI. AND be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, being ſeized, poſſeſſed, or intereſted of or in any Ground which was formerly built upon, and the Houſes thereupon being now deſtroyed or pulled down, at the Times or by the Means of the late dreadful Earthquake, ſhall not, within Three Years next enſuing, build the ſame, that then the Judges of the Court of Common Pleas of the ſaid Pariſh for the time being, or any one of them, ſhall forthwith cauſe publick Proclamation to be made, as well at or upon the ſaid Ground, as alſo in the Court-houſe of the ſaid Pariſh, thereby to give Notice to all Perſons that ſhall or may be therein concerned, to cauſe the ſame to be rebuilt within the Space of Nine Months then next following; and in caſe the Owners thereof, or other Perſon or Perſons having Intereſt therein, ſhall refuſe or neglect to rebuild the ſame within ſuch Time as aforeſaid, that then, and in ſuch Caſe, the ſaid Judges of the ſaid Court, or any one of them, are hereby authorized to iſſue out their Warrants to the Provoſt-marſhal for the time being, requiring him to impannel and return before them, or any one of them, a Jury of good and lawful Men of the ſaid Pariſh, which the ſaid Provoſt-marſhal is hereby authorized and required to do accordingly; which Jury ſo returned, ſhall, upon their Oaths (to be adminiſtered to them

Owners of Grounds to rebuild the Houſes ſtanding upon the ſame before the Earthquake, within three Years;

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or the Fee thereof to be ſold.

them by the ſaid Judges, or one of them, who are likewiſe hereby authorized to adminiſter the ſame) enquire, eſtimate, and aſſeſs the true and juſt Value of ſuch void Ground according to their judgement; and that from and after ſuch Enquiry and Valuation thereof, made as aforeſaid, by Inqueſt of the ſaid Jury, it ſhall and may be lawful to and for the ſaid Judge or Judges to make Sale of the Fee and Inheritance thereof, by Conveyance under his or their Hands and Seals, to any Perſon or Perſons that will purchaſe the ſame at ſuch Price at which the ſame ſhall have been ſo, as aforeſaid, eſtimated and valued by the ſaid Jury; and the Monies thereupon to be received of the Purchaſers thereof, ſhall forthwith be paid into the Hands of the Church-wardens of the ſaid Pariſh for the time being, and from thence to be iſſued out and paid by the ſaid Church-wardens for the time being unto ſuch Perſon or Perſons who ſhall have an Eſtate or Intereſt in, to, or out of the ſame, according to his or their reſpective Eſtate or Eſtates, Title, or Intereſt; which Sale, ſo made and inrolled in the Office of Inrolment of this Iſland, ſhall be final and concluſive to all other Perſons whatſoever, and ſhall bar them, their Heirs, and Aſſigns, to claim any Eſtate, Right, Title, or Intereſt of, in, or out of the Grounds ſo ſold, precedent to the ſaid Sale; and the Purchaſer or Purchaſers thereof, his and their Heirs and Aſſigns, ſhall and may, by virtue of this Act, have, hold, and enjoy the ſame againſt all Perſons claiming any Eſtate, Right, Title, or Intereſt in, to, or out of the ſame, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, freed and diſcharged of and from Incumbrances in Eſtate, Title, Charge, or otherwiſe, precedent to the ſaid Sale, their Majeſties Quit-rents only excepted.

Courts of the Receiver-general, &c. to be kept on *Port Royal*.

VII. AND be it further enacted and ordained by the Authority aforeſaid, and it is hereby enacted and ordained by the Authority of the ſame, That the Receiver-general and Naval Officer of this Iſland, ſhall, by themſelves or lawful Deputy, keep their Offices on *Port Royal*, as at any Time heretofore they have, or ought to have done; and that the Secretary of this Iſland, ſhall, from time to time, by his lawful Deputy, keep his Office at *Port Royal*, as at any Time heretofore he has, now doth, or ought to have done, under the Penalty of Fifty Pounds for every Month the Receiver-general, Naval Officer, or Secretary of this Iſland, or any of them, ſhall neglect or refuſe to do the ſame.

Forfeitures how to be diſpoſed of and applied.

VIII. AND be it further enacted and ordained by the Authority aforeſaid, That all and every the Fines and Forfeitures in this Act mentioned and contained, ſhall be one Half to their Majeſties, their Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Pariſh of *Port Royal*, for and towards the wharfing, repairing, and maintaining the Wharfs ſo to be made, repaired and maintained, as in this Act mentioned, and to and for no other Uſe, Intent, or Purpoſe whatſoever; to be recovered in any Court of Record within this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Injunction, Protection, Wager of Law, or *Non vult ulterius proſequi* ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

№ 47. *An Act for making and clearing a publick Road from St.* Mary*'s and St.* George*'s into the Pariſh of St.* Andrew.

WHEREAS by reaſon of the Uncertainty of the Bounds of the Pariſhes of St. *Mary*, St. *George*, and St. *Andrew*, the Paths leading from St. *Mary*'s and St. *George*'s have not yet been laid out and cleared, to the great Hindrance and Damage of the Inhabitants thereof; and it being requiſite, as well for their Majeſties Service in tranſporting ſpeedy Succours to each Place, as for the neceſſary Uſe of their Majeſties liege People, that a publick Road be laid out from the ſaid Pariſhes of St. *Mary* and St. *George* into the Pariſh of St. *Andrew*; be it therefore enacted and ordained by the Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Path or Road, as it is now uſed, from the Orange-river Plantation, in the Pariſh of St. *Mary*, over *Little Tom's River*, and from thence over *Viney Ridge*, leaving the Plantation belonging to Col. *Thomas Clarke* to the Eaſtward, unto the Plantation late of *Andrew Holloway*, deceaſed, at *Wagwater*, and ſo into the Pariſh of St. *Andrew*, be a publick Road or King's Highway, between the ſaid Two Pariſhes of St. *Mary* and St. *Andrew*; and that the Path or Road from *Annotta River Bay*, in the Pariſh of St. *George*, leading towards St. *Andrew*'s aforeſaid, ſhall, by its neareſt and moſt convenient Courſe, fall into the Path coming from the ſaid Orange-river in St. *Mary*'s upon a Ridge or Mountain, commonly called or known by the Name of *Mammee Ridge*, and from thence forward along the ſaid Path to *Little Tom's River*, &c. And that the ſame be a publick Road or King's Highway, between the ſaid Two Pariſhes of St. *George* and St. *Andrew*, as aforeſaid.

The Roads between the Pariſhes of St. *Mary* and St. *Andrew*, and St. *George* and St. *Andrew*, to be publick.

II. AND

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II. AND be it further enacted and ordained by the Authority aforeſaid, That the Surveyors of the Highways for the Pariſh of St. *Mary*, do yearly, and as often as Need ſhall require, clear and amend the ſaid Road or Highway, from the Orange-river aforeſaid, over the ſaid *Mammee Ridge*, unto the Ford at the Foot of the ſaid Hill at *Little Tom*'s *River* aforeſaid; and that the Pariſh of St. *George* alſo clear their Road or Highway, from *Annotta Bay*, as aforeſaid, unto the ſaid Place, as it ſhall fall into the Path on *Mammee Ridge*, as aforeſaid, coming from the ſaid Orange-river Plantation; and that the Pariſh of St. *Andrew* clear the ſaid Ford and Road, or King's Highway, leading from thence over *Viney Ridge* aforeſaid, leaving the Plantation of the ſaid Col. *Thomas Clarke* to the Eaſtward, as aforeſaid, unto the Plantation of the ſaid *Andrew Holloway*, at *Wagwater*, and ſo forward into the Pariſh of St. *Andrew*.

The Portion of the ſaid Road to be cleanſed by each Pariſh.

III. AND it is hereby further enacted, That the reſpective Surveyors of the Highways, and Inhabitants of the Pariſhes of St. *Mary*, St. *George*, and St. *Andrew*, ſhall be ſeverally ſubject to the like Pains and Penalties for their or any of their Neglect of their Duty therein; and be in the ſame Way and Manner recovered, and in the like Manner applied as is provided for and appointed in the Act for the Highways, for the Neglect of their ſeveral Duties in the like Kind.

Penalty on Surveyors Default.

IV. PROVIDED always, That if at any Time hereafter it ſhall be found neceſſary that the ſaid Path or Paths, or any Part of them, ſhould be turned or altered, that it ſhall and may be done in ſuch Manner as in the ſaid Act for the Highways is provided and appointed in the ſaid Act, for turning or altering old Ways to more Conveniencies; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Proviſo.

An Act appointing the Prices of Meats, and regulating Markets. N° 48.

FOR Prevention of the many Hardſhips and Abuſes that may be put upon the Inhabitants of this Iſland, by thoſe that ſell in publick Markets the ſeveral Sorts of Meats hereafter mentioned, and demand extravagant Prices for the ſame; be it enacted by their Majeſties Lieutenant-Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon or Perſons, upon any Pretence whatſoever, ſelling in any publick Market within this Iſland, any of the ſeveral Kinds of Meat hereafter named, preſume to aſk, demand, or receive, for freſh Beef or Goat, any more, higher, or greater Price than Four Pence *per* Pound; Mutton, Six Pence; Veal, the Breaſt and Loin, Nine Pence; and any other Part thereof, Seven Pence Halfpeny the Pound; Hog, that weigheth Twelve Pounds the Quarter, or under, Seven Pence Halfpeny; and all weighing above, Six Pence the Pound; Lamb or Kid, Seven Pence Halfpeny the Pound; all which ſaid Meat ſhall be weighed without the Head, Intrails, or Feet; and no Suet to be ſold at higher Rates than the Meats aforeſaid.

Regulation of the Prices of Meats.

II. AND be it further enacted by the Authority aforeſaid, That any Meat brought into the Market, and offered, after cut up, to be ſold for Veal, weighing above Twenty five Pounds the Quarter, ſhall be adjudged Beef; and for Lamb, weighing above Eight Pounds the Quarter, ſhall be deemed Mutton; and each ſold by the Quarter or Joint, at the reſpective Prices in this Act before mentioned.

Diſtinction of Meats.

III. AND to prevent ſelling and putting off old and ſmall Mutton for Lamb, be it further enacted by the Authority aforeſaid, That all Lamb ſhall be brought into the open Market with the Heads on, and ſhewn, before cut up, to the Clerk thereof, with the uſual Signs and Marks of Diſtinction, that he, upon Scruple, may determine the Matter between Buyer and Seller.

Lamb to be brought into the Market with the Heads on, &c.

IV. AND be it further enacted by the Authority aforeſaid, That no common Seller, Butcher, Cutter up of Tortle, or any other Perſon whatſoever, ſell Tortle, or any of the Meats before mentioned, by Retale, but in open Market; where they ſhall not refuſe to ſell the ſame to any Perſon, bringing ready Money, by the Quarter, Joint, or Piece, by Weight, not leſs than the Value of Seven Pence Halfpeny, at the Prices aforeſaid; without conditionally impoſing upon the Buyer the Head, Feet, Inwards, or any Part thereof, or Meat of any other Kind whatſoever; which Meat ſo bought and paid for, ſhall immediately be, or cauſed to be removed out of the ſaid Market by the Perſon buying the ſame.

Meats to be ſold by Retale in open Market only.

V. AND to the end that it may be underſtood what within this Act ſhall be accounted the publick and open Market, be it enacted by the Authority aforeſaid, That the Place appointed by the Juſtices in Seſſions for the ſelling there the ſeveral Sorts of Meat in this Act mentioned, ſhall be deemed the publick Market-place, and the Market's opening by the Ringing of the Bell by the Clerk thereof, or his Order; which on *Saturdays* ſhall be at Three of the Clock in the Afternoon, and on that and all other Days (*Sundays* excepted) at Five of the Clock in the Morning, and not ſooner; in which Place, and after which Time, the Market ſhall be adjudged open and publick, within this Act, as aforeſaid.

What to be accounted open Market.

1693.
Commencement of the Act.
40*s.* Penalty for Offence.

VI. Be it further enacted by the Authority aforeſaid, That from and after the Ten Day of *Auguſt*, of this preſent Year One thouſand ſix hundred ninety three, this Act, a every Clauſe thereof, is and ſhall be of Force, to all Intents and Purpoſes whatſoever.

VII. And be it further enacted by the Authority aforeſaid, That all and every Perſ whatſoever, Seller, Buyer, or Officer, that ſhall offend againſt any Particular in this A mentioned or contained, or any Branch thereof; he, ſhe, or they ſo offending, ſhall f feit Forty Shillings for every ſuch Offence; one Half to the Church-wardens of the Par where ſuch Offence ſhall be committed, for the Uſe of the ſaid Pariſh; the other H to the Clerk of the Market, Informer, or who ſhall ſue for the ſame; to be recovered fore any Juſtice of the Peace; any Law, Cuſtom, or Uſage to the contrary notwithſtandi

№ 49. Expired. *An Act for reimburſing their Majeſties Treaſury.*

№ 50. Expired. *An Act to reimburſe their Majeſties Treaſury, and enco rage their Subjects to come and ſettle in this Iſland.*

№ 51. Expired. *An Act for raiſing Money to ſolicit in* England *the Affai of this their Majeſties Iſland.*

№ 52. Expired. *An Act for guarding the Sea Coaſts.*

№ 53. Expired. *An Act for raiſing Money, as a further Aid to their M jeſties, for and towards the Defence of this their Iſla of* Jamaica.

№ 54. Expired. *An Act appropriating ſeveral Sums of Money, heretofo raiſed, to the immediate Service of this Iſland.*

№ 55. Expired. *An Act for appropriating ſeveral Sums of Money for t ſpeedy Relief of the wounded and diſtreſſed Inhabitan of this Iſland, who have ſuffered by the late Invaſion the* French.

№ 56. Expired. *An Act for the Encouragement and Freedom of Servan and Slaves which have done or ſhall do any remarkab Service againſt the* French *during this preſent War.*

№ 57. Expired. *An Act for Prevention of indebted Perſons from departi this Iſland in the Time of Martial Law.*

№ 58. Expired. *An Act to enable* George Ivey, *Eſq; to ſell his Eſtate, f the Payment of the Debts of his Father* William Iv *Eſq; deceaſed.*

1695.
№ 59. Expired. *An Act for raiſing Money to diſcharge the Debts contrac in the late Invaſion of the* French.

№ 60. Private. *An Act for confirming a Parcel of Land to Sir* James Caſtillo, *Knt.*

An Act to enable ſeveral Pariſhes of this Iſland to raiſe, levy, and collect the Taxes and Arrearages ariſing by Two former Acts. 1695. No 61. Expired.

An Act for erecting and eſtabliſhing a Free-ſchool in the Pariſh of St. Andrew. No 62.

HUMBLY beſeeching your moſt Excellent Majeſty (*Nicholas Laws*, of the Pariſh of St. *Andrew*, in the Iſland aforeſaid, Eſq; being ſeized in his Demeſne, as of Fee, of and in Two Acres and a Half of Land, ſituate, lying, and being at Half-way Tree in the Pariſh of St. *Andrew* aforeſaid, butting South-eaſterly on the great Road, Eaſt on *Thomas Webb*, Northerly on *Francis Daniel*, and Weſt-ſoutherly on the ſaid *Nicholas Laws*, whereon is a Meſſuage and Buildings thereto belonging convenient for a Free-ſchool) that it may be enacted, ordained, and eſtabliſhed; and be it enacted, ordained, and eſtabliſhed by Your Majeſty's Lieutenant-Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted, ordained, and eſtabliſhed by the Authority of the ſame, That it ſhall and may be lawful to make and eſtabliſh on the ſaid Land a Free-ſchool, for the Abiding, Dwelling, and neceſſary Uſe of one or more School-maſters and Uſhers of the Religion of the Church of *England*, for the inſtructing (without Charge) of Youth, in *Reading*, *Writing*, *Latin*, *Greek*, *Hebrew*, *Arithmetick*, *Merchants-accompts*, and the *Mathematicks*, the Children of the Pariſh of St. *Andrew* and *Kingſton*, and the Children of all ſuch as ſhall ſettle to the Value of Five Pounds *per Annum*, or pay Fifty Pounds current Money of *Jamaica*, for the Improvement and Advancement of the ſaid School; and that the ſame ſhall and may be called and named *St.* Andrew's *Free-ſchool*; and that there be Seven fit and able Perſons of the Pariſh of St. *Andrew* and *Kingſton* aforeſaid, nominated and appointed Governors of the ſaid Free-ſchool; and that upon the Deceaſe or Reſignation of, or Departure from this Iſland of any of the ſaid Governors of the Pariſhes of St. *Andrew* and *Kingſton* aforeſaid, others of the ſame Pariſhes, within Three Months after ſuch Death, Reſignation, or Departure from this Iſland, ſhall and may be choſen by the reſt of the Governors, or the major Part of them, out of the Inhabitants of the ſaid Pariſhes; and that *James Bradſhaw*, *Edward Harriſon*, *Peter Robinſon*, *Joſiah Heathcote*, *Charles De la Cree*, *Thomas Clarke*, jun. and *Thomas Aſhburne*, Eſqrs. ſhall and may be Governors of the ſaid Free-ſchool; and that they the ſaid Governors, and they who ſhall ſucceed by ſuch Choice and Election, ſhall be Governors of the ſaid Free-ſchool, and of the Land and Houſes now uſed and occupied, given by the ſaid *Nicholas Laws*, and of all Meſſuages, Lands, Tenements, and Hereditaments whatſoever, which ſhall or may be given by any Perſon or Perſons whatſoever, or purchaſed by the ſaid Governors or their Succeſſors, for the Uſe or Benefit of the ſaid Free-ſchool, at all Times hereafter for ever; and that the ſaid Governors and their Succeſſors, and Free-ſchool, ſhall for ever hereafter ſtand and be incorporated, eſtabliſhed, and founded, in Name and in Deed, a Body politick incorporate, to have Continuance for ever, by the Name of *The Governors of the Free-ſchool of St.* Andrew; and that they the ſaid Governors may have perpetual Succeſſion; and that by that Name they and their Succeſſors may for ever hereafter have, hold, and enjoy the ſaid Free-ſchool, and all Meſſuages, Lands, Tenements, and Hereditaments, and all Gifts or Benefices which at any Time or Times hereafter ſhall be given or purchaſed for the Uſe and Benefit of the ſaid Free-ſchool, without any Licence of or for the Statute of *Mortmain*, or any other Statute to the contrary notwithſtanding.

A Free-ſchool to be eſtabliſhed in the Pariſh of St. *Andrew*.

Governors of the ſame nominated,

and incorporated,

II. AND that the ſaid Governors, or their Succeſſors, or the major Part of them, by the ſame Name, ſhall and may have Power, Ability, and Capacity to demiſe, leaſe, and grant their Poſſeſſions and Hereditaments as above, given by the ſaid *Nicholas Laws*, and every of them; and to take, acquire, and purchaſe, and to ſue and be ſued, and to do, perform, and execute all and every lawful Act and Thing, good and neceſſary, and profitable for the ſaid Corporation, in as full and ample Manner and Form, to all Intents, Conſtructions, and Purpoſes, as any other Corporation or Body politick and corporate, fully and perfectly incorporated, may do.

with full Power of acting,

III. AND that the ſaid Governors, and their Succeſſors, for the time being, may have and uſe a Common Seal, for the making, granting, and demiſing of ſuch their Demiſes and Leaſes, and for the doing of all and every other Thing or Things touching or in any wiſe concerning the ſaid Corporation; in which Seal ſhall be engraven the Arms of the ſaid *Nicholas Laws*.

and to have a Common Seal.

IV. AND alſo that it may be enacted by the Authority aforeſaid, and be it enacted by the Authority aforeſaid, That the Governors, or their Succeſſors for the time being, or the moſt Part of them, ſhall have full Power and Authority to nominate, and ſhall and

The Nomination of School-maſter, ſupplying of Vacancies, &c. veſted in them.

1695.

and may nominate and appoint, when and as often as they ſhall think good, ſuch Perſon or Perſons as they ſhall think meet to be School-maſters and Uſhers of the ſaid School; and receive into the ſaid School as many poor Children as the ſaid Governors, or the major Part of them for the time being, ſhall think fit; to be maintained in Proportion to the Revenues of the ſaid School for the time being; and when any of them, by Death, Reſignation, Deprivation, or otherwiſe, ſhall become void, ſhall and may, within Three Months next after ſuch Voidance, by Writing under their ſaid Common Seal, nominate and appoint one or more learned, godly, diſcreet, and meet Men and Perſons to be School-Maſters and Uſhers; and Children in the Places of them and every of them ſo deceaſing, reſigning, or otherwiſe becoming void; and that they the ſaid Governors, and their Succeſſors, may from time to time expend ſuch Sum or Sums of Money, in Proportion to the Revenues of the ſaid School, and as the ſame will bear it, in and about the repairing, maintaining, upholding, or enlarging of the ſaid Meſſuage and Buildings thereto belonging, as to the ſaid Governors for the time being, or the major Part of them, ſhall ſeem meet, requiſite, and neceſſary.

Governors to preſcribe Rules, &c. for the Free-ſchool.

V. AND that it may be enacted by the Authority aforeſaid, and be it enacted by the Authority aforeſaid, That the ſaid Governors, and their Succeſſors for the time being, or the major Part of them, ſhall and may have full Power and Authority, under the ſaid Common Seal, to make, ordain, ſet down, and preſcribe ſuch Rules, Statutes, and Ordinances, for the Order, Rule, and Government of the ſaid Free-ſchool, and of the ſaid Maſters, Uſhers, and Children, and their Succeſſors, for their and every of their Stipends and Allowances, for and towards their and every of their Maintenance and Relief, as to the ſaid Governors, or their Succeſſors for the time being, or the moſt Part of them, ſhall ſeem meet and convenient; and that the ſame Orders, Rules, Statutes, and Ordinances, ſo by them, or the major Part of them made, ſet down, and preſcribed, as aforeſaid, ſhall be and ſtand in full Force and Strength in Law; the ſame not being repugnant nor contrary to his Majeſty's Prerogative Royal, nor the Laws and Statutes of *England*, or this Iſland, nor to any Eccleſiaſtical Canons or Conſtitutions of the Church of *England*.

Governors impowered to viſit the ſaid School, &c.

VI. AND that the Governors, and their Succeſſors for the time being, or the moſt Part of them, ſhall and may have full Power and Authority to viſit the ſaid School, and to order, reform, and redreſs all Diſorders and Abuſes in and touching the Government and diſpoſing of the ſame; and further, to cenſure, ſuſpend, and deprive the ſaid School-maſters, Uſhers, poor Children for the time being, and every or any of them, as to them, or the major Part of them, ſhall ſeem juſt, fit, and convenient.

but not to rent any Lands belonging to it.

VII. AND it is alſo enacted by the Authority aforeſaid, That it ſhall not be lawful for the Governors for the time being, or any of them, to or for their own private Uſe or Benefit, to buy, ſell, rent, or leaſe any of the Lands or Tenements ſettled, purchaſed, or given for the Uſes aforeſaid.

By whom new Governors ſhall be choſen or appointed.

VIII. AND it is further enacted by the Authority aforeſaid, That if any of the Governors for the time being ſhall deceaſe, reſign, or depart this Iſland, and the ſurviving or remaining Governors ſhall refuſe or neglect to chooſe others in their Room or Stead within Three Months after ſuch Death, Reſignation, or Departure; that then it ſhall and may be lawful, to and for the Governor of this Iſland for the time being, by Letters-patents under the Broad Seal of this Iſland, to nominate and appoint ſuch Perſon or Perſons as he ſhall think fit, to be Governor or Governors of the ſaid School, in the Place or Places of thoſe ſo deceaſed, reſigned, or departed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

№ 63. Private. *An Act to enable* Redmond Macragh, *and others, to ſell Lands for Payment of the Debts of the ſaid* Redmond Macragh.

№ 64. Expired. *An Act for building a Fortification in the Pariſh of* Kingſton, *for the better defending this Iſland.*

№ 65. Expired. *An Act to enable the Pariſh of* Vere *to build a Fortification, for the better Defence of this Iſland.*

№ 66. Expired. *An Act appropriating the Sum of Eight hundred Pounds for Accommodation of his Majeſty's Forces daily expected hither.*

An

An Act to enable the ſurviving Executor of William Alcock, *deceaſed, to ſell his Eſtate for Payment of his Debts and Legacies.*

1695.
№ 67.
Private.

An Act for quartering the King's Soldiers.

1696.
№ 68.
Expired.

An Act for the more ſpeedy collecting his Majeſty's Quit-Rents, Fines, Forfeitures, and Amerciaments.

№ 69.

BE it enacted by His Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all and every Perſon or Perſons who ſhall repair to the Town of St. *Jago de la Vega* within Twelve Months after the making of this Act, and there account with the Receiver-general for the time being for ſuch Sum or Sums of Money as may be due to his Majeſty for Quit-rent, and make Oath, if privy to the Payment, that they have duly paid their Quit-rent to ſuch a Year, but that their Receipts for the ſame are, by ſome Caſualty, loſt; and if not privy, that they believe they were paid, but that they cannot find the Receipts (which Oath the ſaid Receiver-general is hereby impowered to adminiſter, and at the Requeſt of the Party obliged to tender) and ſhall pay, or give good Security to pay, in ſome ſhort Time, ſuch Sum or Sums of Money as they ſhall be found in Arrears; that then, and in ſuch Caſe, every ſuch Perſon and Perſons ſhall be diſcharged againſt his Majeſty, his Heirs and Succeſſors, to the Time of which they ſhall make Oath, as aforeſaid: And the Receiver-general ſhall give every ſuch Perſon as ſhall demand the ſame a Certificate, that he has accounted with him, her, or them, and made Oath, as aforeſaid; for which the Party or Parties demanding the ſame, ſhall pay the Sum of Two Shillings and Six Pence, and no more; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwitſtanding. How Arrears of Quit-rent due to his Majeſty ſhall be aſcertained;

II. AND be it further enacted and ordained by the Authority aforeſaid, That all and every Perſon or Perſons (not being Orphans) that do not inhabit within this Iſland, and are poſſeſſed of and hold ſeveral Tracts of Land, whereupon no Settlement or Plantation hath hitherto been made; every ſuch Perſon or Perſons (not being Orphans, as aforeſaid) are hereby required and obliged to account with the Receiver-general for the time being, and pay all ſuch Sum and Sums of Money as ſhall be found due and in Arrears to his Majeſty for Quit-rents, and likewiſe ſettle and plant upon ſome one Parcel of the ſaid ſeveral Tract or Tracts of Land he ſo holdeth, as aforeſaid, within Two Years after the paſſing of this Act, on Penalty of forfeiting the ſaid Lands: And in caſe at the Expiration of the ſaid Term, the Owners or Poſſeſſors not having done and performed as by this Act is required, that then the Provoſt-marſhal-general of this Iſland is hereby authorized and required to make Proclamation of the ſame in the Supreme Court of Judicature, held at the Town of St. *Jago de la Vega* aforeſaid, the Two next Courts after ſuch Failure and Forfeiture, as aforeſaid, and no Perſon appearing to defend the ſame, Judgement ſhall be affirmed for the King; and the ſaid Provoſt-marſhal is hereby required and impowered to ſeize the ſame accordingly; and then, and from thenceforth the ſaid Lands, as aforeſaid, ſhall be ſolely veſted in our Sovereign Lord the King, his Heirs and Succeſſors, which ſhall be a perpetual Bar againſt any former Patent, Grant, or Claim whatſoever: And then it ſhall and may be lawful for the Governor or Commander in Chief of this Iſland for the time being, by Letters-patent under the Broad Seal of this Iſland, to grant the ſaid Lands to any Perſon whatſoever; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. and to whom paid; in Default whereof the Lands may be ſeized for the King, and regranted.

II. AND be it further enacted and ordained by the Authority aforeſaid, That all and every Owner or Poſſeſſor of Lands, Inhabitants within this Iſland, firſt having duly accounted and paid his Majeſty's Quit-rents, and all and every the Arrearages due for the ſame, hereby have Power to reſign and ſurrender any whole Tract or Parcel of Land, or Grant they now hold or are in Poſſeſſion of, into the Hands of our Sovereign Lord the King, his Heirs and Succeſſors; which Surrender ſhall be made by Delivery up into the Hands of the Clerk of the Chancery for the time being, all ſuch Patents, Grants, and Evidences, whereby they have held the ſame, or by certifying the Records thereof: And the ſaid Clerk of the Chancery is hereby required and impowered to accept and receive the ſame; and upon Receipt thereof, to give a Certificate under his Hand to the Perſon or Perſons ſurrendering as aforeſaid, in which ſhall be expreſſed the Date of the Grant, Perſons ſurrendering their Lands, &c. diſcharged from all growing Rents.

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the Quantity of Land, the Pariſh it lies in, and the Bounds of the ſaid Land; which being duly acknowledged by the Clerk of the Chancery before the Governor for the time being, or before ſome one of the Judges of the Courts within this Iſland, and Record thereof made in the Secretary's Office, ſhall be deemed and taken as a total Reſignation and Surrender of ſuch Grant or Patent; and the Perſon or Perſons ſurrendering in Manner aforeſaid, ſhall be acquitted and diſcharged from all growing Rents and Services required for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Lands ſo ſurrendered may be regranted.

IV. AND be it further enacted by the Authority aforeſaid, That after Surrender of any Lands, as aforeſaid, that it ſhall and may be lawful for the Governor or Commander in Chief for the time being, by Letters-patent under the Broad Seal of this Iſland, to grant the ſaid Lands ſo ſurrendered, to any Perſon or Perſons whatſoever: And that the Clerk of the Chancery have and receive for a Fee, for his Certificate and acknowledging, the Sum of Five Shillings for every Parcel of Land ſo reſigned and ſurrendered; and the Secretary the Sum of Two Shillings and Six Pence, for recording the ſame; any thing in this, or any other Act to the contrary notwithſtanding.

All Fines to be paid to the Receiver-general.

Penalty on Officers neglecting ſo to do.

V. AND be it further enacted and ordained by the Authority aforeſaid, That all Fines, Forfeitures, or Amerciaments, ariſing within any of the Courts of Judicature within this Iſland, where his Majeſty's Grace and Favour is not extended, ſhall be paid by the Provoſt-marſhal, or his Deputy, into the Hands of the Receiver-general: And whatſoever Officer or Officers, or other Perſon whatſoever within this Iſland, that ſhall receive any of the Fines, Forfeitures, or Amerciaments, that hath not been already appropriated, and ſhall neglect or delay to pay the ſame at or before the next Supreme Court of Judicature, after the ſaid Fines, Forfeitures, or Amerciaments are adjudged or condemned in any of the inferior Courts in this Iſland, ſhall, for every ſuch Offence, pay double the Sum of Money ſo received and not paid in; to be recovered by Action of Debt in any Court of Record within this Iſland.

Judges, &c. of inferior Courts to certify all Fines to ſupreme Courts.

VI. AND that all the *Cuſtos Rotulorums*, Juſtices and Judges of the ſeveral inferior Courts within this Iſland, ſhall certify all the ſaid Fines, Forfeitures, and Amerciaments, within their ſeveral Juriſdictions ſo adjudged, as aforeſaid, into the Supreme Court within one Month after ſuch Judgement, as aforeſaid, is paſſed for the ſame, to be eſtreated for the more ſpeedy and certain collecting and receiving the ſame by the ſaid Receiver-general of his Majeſty's Revenue of this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Provoſt-marſhal, &c. to take the following Oath.

VII. AND be it further enacted by the Authority aforeſaid, That from henceforth the Provoſt-marſhal, his Deputies, Clerk of the Supreme Court, and the Clerks of the Crown and Peace within the ſeveral Precincts of this Iſland, and all others to whom it belongeth to make Returns of the Certificates, ſhall, upon Delivery of all and every ſuch Certificates, take the Oath following: That is to ſay;

The Oath.

YOU ſhall ſwear, That theſe Fines, Forfeitures, and Amerciaments are truly and carefully entered, made up, and examined; and that all Fines, Iſſues, Amerciaments, Recognizances, and Forfeitures, which were ſet, loſt, impoſed, or forfeited, and in Right and due Courſe of Law ought to be eſtreated into the Supreme Court of Judicature, are, to the beſt of our Knowledge and Underſtanding, therein contained: And that in the ſame Fines, Forfeitures, and Amerciaments are alſo contained and expreſſed all ſuch Fines, Forfeitures, and Amerciaments as have been paid into the Court from which the ſaid Eſtreats are made, without any wilful or fraudulent Diſcharge, Diſmiſſion, Omiſſion, Miſnomer, or Default whatſoever:

So help you God.

Which ſaid Oath the Judges of His Majeſty's Supreme Court to the Clerk thereof, and in all other Precincts, the Juſtices in Seſſions are hereby required and impowered to adminiſter from time to time accordingly; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Diſpoſition of Forfeitures.

VIII. AND be it further enacted and ordained by the Authority aforeſaid, That all Fines and Forfeitures in this Act mentioned and contained, be one Moiety or Half-part thereof unto our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or he that ſhall ſue for the ſame; to be recovered in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

N° 70. *An Act for the better Order and Government of Slaves.*

WHEREAS it is found by Experience, that the often Inſurrections and Rebellions of the Slaves within this Iſland have proved the Ruin and Deſtruction of ſeveral Families:

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Families: To the End therefore that they may be puniſhed according to their Demerit, and their bloody and inhuman Practices, Be it enacted by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon whatſoever ſhall give Leave to any Slave under his, her, or their Care, Charge, or Ownerſhip (unleſs ſuch as wait on their Perſon, or go in Liveries) to go out of their Plantation without a Ticket or white Servant, in which Ticket there is to be expreſſed their Names and Number, and alſo from and to what Place, on Penalty of paying for their taking up as Runaways; and whoſoever ſhall not endeavour to take up or apprehend any Slave coming into their Plantations, or where they have Care or Charge (except as before excepted) and apprehending, ſhall not puniſh them by moderate Whipping, ſhall forfeit Forty Shillings.

Owners of Slaves not to give them Leave to go out of their Plantation without a Ticket.

II. And if any Slave ſhall offer any Violence, by ſtriking or otherwiſe, to any white Perſon, ſuch Slave ſhall be puniſhed at the Diſcretion of Two Juſtices and Three Freeholders, who may inflict Death or any other Puniſhment, according to their Diſcretion; provided ſuch Striking or Conflict be not by Command of his or their Owners, Overſeers, or Perſons intruſted over them, or in the lawful Defence of their Owners Perſons, or Goods.

Slave's Puniſhment for ſtriking any white Perſon.

III. And be it further enacted by the Authority aforeſaid, That all Slaves ſhall have cloaths; (that is) Men, Jackets and Drawers; and Women, Jackets and Petticoats or Frocks once every Year, on or before the Twenty fifth Day of *December*, on Penalty of Five Shillings for every Slave's wanting; one Half to the Informer, the other Half to the Pariſh where ſuch Default ſhall be made. And the ſeveral and reſpective Conſtables within this Iſland ſhall take Care to preſent to the Juſtices all Owners or others, that have the Care of Slaves, that ſhall not perform the ſame every Year, the firſt Seſſions in *January*, before the ſaid Conſtables ſhall be diſcharged from their Offices.

How Slaves ſhall be cloathed.

IV. And upon Complaint made by any Slave or Slaves, to any Conſtable, that the Owner, or Perſon that hath the Care of any Slave or Slaves, hath not given him, her, or them Cloaths, as in this Act is expreſſed, the ſaid Conſtable or Conſtables to whom ſuch Complaint ſhall be made, ſhall certify the ſame to the Juſtices in Seſſions, as aforeſaid; which ſaid Juſtices ſhall cauſe the Owner, or other Perſon, as aforeſaid, to come before them, and if, when appearing, he, ſhe, or they ſhall make Oath before the ſaid Juſtices that the Complaint is unjuſt, the ſaid Oath ſhall be a ſufficient Diſcharge.

Slave's Complaint to be diſmiſſed, upon Owner's ſwearing that it is unjuſt.

V. And that the Conſtables may not neglect their Duty herein, the Juſtices of the ſeveral Pariſhes and Precincts within this Iſland are hereby required and impowered to give in Charge upon Oath to every Conſtable the due Execution hereof.

Conſtable to be ſworn not to neglect his Duty.

VI. And all Maſters and Owners of Plantations ſhall and are hereby required to have at all Times hereafter, one Acre of Ground well planted with Proviſion for every five Slaves he hath in his Plantation, under the Penalty of Forty Shillings for every Acre ſo wanting.

All Owners of Plantations to have one Acre of land for every five Slaves.

VII. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, except the Provoſt-marſhal, at the Gaols of St. *Jago de la Vega*, *Port Royal*, and *Kingſton*, ſhall keep any runaway Slave or Slaves, above Ten Days; nor ſhall the Provoſt-marſhal, or any other Perſon whatſoever, employ any of them; or ſuffer him, her, or them in Cuſtody to want convenient Food, Water, and Lodging, on Penalty of Forty Pounds for every ſuch Offence; to be recovered by the Owner: And if the Provoſt-marſhal, or any other Perſon, ſhall ſuffer ſuch Slave to die in his or their Cuſtody for want of Food and Water, or dry and convenient Lodging, the Provoſt-marſhal, or any other Perſon, in whoſe Cuſtody ſuch Slave was, ſhall forfeit to the Owner or Owners Fifty Pounds for ſuch Slave or Slaves; to be recovered by Action of Debt in any Court of Record within this Iſland.

Penalty on the Provoſt-marſhal, &c. employing runaway Slaves, or ſuffering them to want Proviſions, &c.

VIII. And if the Provoſt-marſhal, Deputy-marſhal, or any other Perſon under them, on their Behalf, ſhall at any Time preſume to ſell or diſpoſe of any Slave or Slaves not having been Twelve Months in his or their Cuſtody, or in any other Place, Manner, or Times, than by publick Outcry at the Town of St. *Jago de la Vega* in the Times of the Supreme Courts, ſhall forfeit the Sum of Two hundred Pounds, current Money of this Iſland.

or diſpoſing of them otherwiſe than by publick Outcry;

IX. And be it further enacted by the Authority aforeſaid, That whoſoever ſhall take up any runaway Slave or Slaves, ſuch Perſon or Perſons ſhall bring the ſaid Runaways to his or their proper Owners, if they know them, on Penalty of Twenty Shillings, and receive for their Pains for each Slave Twelve Pence *per* Mile for the firſt Five Miles, and Eight Pence *per* Mile for every Mile more, provided it exceed not Forty Shillings in the whole for each Slave; but if they do not know the Owners, then to the next Marſhal or Gaol, upon Pain of Forfeiture, for every Day he or ſhe ſhall keep ſuch Slave or Slaves beyond the ſaid Ten Days, and thereof be convicted by Confeſſion or Verdict, of the Sum of Twenty Pounds: And no Perſon ſhall receive Payment for the taking up any Slave or Slaves, till he give an Account of his own Name and Place of Abode, with the Time and Place when and where taken up, with an Account of the Mark and Sex of all and every ſuch Slave and Slaves coming into their Cuſtody, which they ſhall cauſe to be fairy written and

and on Perſons who take them up, and bring them not to their proper Owners, &c.

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Marſhal to detain runaway Negroes till the Owner reimbuſes him his Expences.

X. AND that it ſhall and may be lawful for the Marſhal to detain and keep in Cuſtody the Bodies of ſuch Runaways ſo brought unto him, until the Owners of them, or their Aſſigns, ſhall pay unto him what he ſo paid to them who took them up, with Two Shillings Six Pence *per* Pound for laying out the Money, and ſo proportionably for a greater or leſſer Sum; and alſo Six Pence for every Four and twenty Hours the ſaid Slave or Slaves hath been in Cuſtody.

Penalty on the Marſhal wilfully ſuffering any Slave to eſcape *&c.*

XI. AND if the ſaid Marſhal ſhall willingly or negligently ſuffer any Slave or Slaves to eſcape, to be employed, or by any Way or Means to be out of his Cuſtody, before he, ſhe, or they ſhall be duly delivered to the Owner, his, her, or their Aſſigns; then the Marſhal ſhall forfeit to the Owner Fifty Pounds current Money, for every Slave ſo eſcaping, employed, or being out of their Cuſtody, as aforeſaid.

Slave taking up any Runaway, how to be rewarded.

XII. AND whatſoever Slave or Slaves ſhall take up any Runaways, he, ſhe, or they ſhall have the whole Benefit thereof; and if any Perſon ſhall deprive any ſuch Slave of any ſuch Benefit, he, ſhe, or they ſhall forfeit treble the Value.

Slaves Houſes to be ſearched for miſchievous Weapons, and if any found, may be burnt;

and if any ſtolen Goods be found there, they may be puniſhed with Death, *&c.*

XIII. AND be it further enacted by the Authortiy aforeſaid, That every Maſter, Miſtreſs, or Overſeer of a Family in this Iſland, ſhall cauſe all their Slaves Houſes to be diligently and effectualy ſearched once every Fourteen Days, for Clubs, Wooden Swords, or other miſchievous Weapons, and finding any, ſhall take them away, and cauſe them to be burnt; and alſo, upon Requeſt made, to ſearch the ſame for ſtolen Cloaths, Goods, or any other Things or Commodities; and any Slave or Slaves, in whoſe Cuſtody ſuch ſtolen Goods ſhall be found, ſhall ſuffer Death, Tranſportation, Diſmembering, or other Puniſhment, at the Diſcretion of Two Juſtices and Three Freeholders, or the major Part of them, One of whom to be a Juſtice; and alſo if there ſhall be found in the Cuſtody of any Slave any thing ſuſpected or known to be ſtolen Goods, the ſame ſhall ſeize and take into their Cuſtody, and a full and exact Deſcription of the Particulars thereof ſhall give in Writing, within Six Days after Diſcovery thereof, to the Clerk of the Pariſh, or Clerk of the Court of the Precincts for the time being, who are hereby required and impowered to receive the ſame, and enter upon it the Day of its Receipt, and give an Account at the Pariſh Church or Court of the Precincts in Writing, that ſuch Goods loſt are found; to the end the Owner, giving the Clerk Proof, by Mark or otherwiſe, that the Goods loſt belong to him, he may have the ſame reſtored, paying One Shilling Three Pence to the Clerk for his Entry and Declaration of the ſame; and the Parties by whom ſuch loſt Goods are taken into Cuſtody, are hereby required to make, and ſhall make Reſtitution of what is in being to the Owner, on Penalty of Twenty Pounds for each Neglect or Refuſal by Maſter, Miſtreſs, Overſeer, or Clerk, as aforeſaid.

Penalty on Maſter's, *&c.* refuſing to let his Slave's Houſe be ſearched.

Proviſo.

XIV. AND if any Perſon whatſoever ſhall demand of any Maſter, Miſtreſs, or Overſeer, immediate Leave to ſearch all or any Slave's Houſe or Houſes in their Plantation for Goods loſt by the ſame Perſon, his Maſter or Miſtreſs; the Maſter, Miſtreſs, Overſeer, or other white Perſon refuſing ſuch Search, or delaying the Perſon demanding the ſame, ſhall forfeit the Sum of Twenty Pounds.

XV. PROVIDED nevertheleſs, That no Perſon whatſoever ſhal preſume to demand Leave to ſearch as aforeſaid, that hath not a Certificate under the Hand of ſome Juſtice of the Peace of that Precinct, ſignifying that ſuch Perſon hath made Oath before him, that he hath loſt ſuch Goods as he requires to ſearch for; and in caſe there is no Juſtice of the Peace near, that then the Perſon perform the ſame within Six Days after ſuch Search made, on Penalty of Twenty Pounds for every ſuch Offence; the one Half to the Uſe of the Pariſh, the other Half to the Party injured.

Penalty on Perſons attempting to ſteal any Slave, *&c.*

XVI. AND be it further enacted by the Authority aforeſaid, That no Perſon ſhall attempt or endeavour to ſteal or carry off this Iſland, hide, conceal, or employ any Slave, on Penalty of One hundred Pounds; but whoſoever ſhall actually ſteal a Slave, or deface his, her, or their Mark, ſhall be guilty of Felony, and ſhall be excluded the Benefit of Clergy.

XVII. AND

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XVII. And whatſoever Slave or Slaves ſhall hide or entertain any runaway Slave or Slaves, ſhall be ſeverely whipped by Order of any Juſtice of the Peace; and if the Owner or Owners, Overſeer, or other Perſon, that ſhall have Care of ſuch Slave or Slaves, ſo hiding or entertaining any Runaway or Runaways, and ſhall in any wiſe endeavour to prevent ſuch Correction or Whipping, as aforeſaid, upon Proof thereof, ſhall forfeit Forty Shillings; to be recovered before any Juſtice of the Peace; the one Half to the Uſe of the Pariſh, the other Half to the Informer. Slave hiding any Runaway, to be ſeverely whipped, &c.

XVIII. And be it further enacted by the Authority aforeſaid, That if any Freeman or Servant ſhall kill or take any rebellious Slave or Slaves, he or they ſhall forthwith receive as a Reward Five Pounds current Money; and if any Slave or Slaves ſhall kill or take any ſuch rebellious Slave or Slaves, he or they ſhall receive Forty Shillings of like Money, and a Serge Coat, with a red Croſs on the Right Shoulder, which the Church-wardens of each of the reſpective Pariſhes where ſuch rebellious Slave or Slaves ſhall be killed or taken, are hereby required to pay out of the Pariſh Stock; and in caſe there be not ſo much of the Pariſh Money in the ſaid Church-wardens Hands, that he or they pay the ſame out of their own Money, which is to be reimburſed to him or them out of the firſt Money raiſed in the next Year's Tax, together with Intereſt for ſo ready Payment of the ſaid Sum: And if the ſucceeding Church-wardens for the Year enſuing ſhall refuſe to pay and allow whatſoever Sum or Sums are expended by Virtue of this Clauſe, that the ſame ſhall be heard and determined by any Juſtice of the Peace in the Precincts, in the ſame Manner as is provided in an Act, intituled, *An Act impowering Juſtices of the Peace to decide Differences not exceeding Forty Shillings.* Reward for taking or killing a rebellious Slave.

XIX. And be it further enacted by the Authority aforeſaid, That all and every Slave and Slaves that ſhall run away, and continue but for the Space of Twelve Months, except ſuch Slave or Slaves as ſhall not have been Three Years in this Iſland, ſhall be deemed rebellious, and their taking ſhall be paid accordingly; which Slave or Slaves ſo taken, as a Puniſhment for their Crime, ſhall be tranſported by Order of Two Juſtices and Three Freeholders, or the major Part of them, one of whom to be a Juſtice, though no other Crime ſhall appear againſt them; which Order the Owner or Truſtee ſhall ſee duly executed, under the Penalty of Fifty Pounds for each Offence; to be recovered in any Court of Record in this Iſland. Slave continuing away for twelve Months, to be deemed rebellious.

XX. And it is further enacted by the Authority aforeſaid, That if any Slave or Slaves tranſported off this Iſland by Order of Two Juſtices and Three Freeholders, as aforeſaid, for any Fault or Crime, ſhall at any Time wilfully return; upon Complaint made to any Juſtice of the Peace, he, upon View of the Record, is hereby impowered, under the Penalty of Fifty Pounds, immediately to iſſue out a Warrant under his Hand and Seal to any Marſhal or Conſtable forthwith to apprehend and execute, by hanging or otherwiſe, the ſaid Slave or Slaves ſo returning: And if any Slave or Slaves condemned to be tranſported ſhall not be ſent by the Owners, according to the Judgement of the Juſtices and Freeholders who condemned him or them; it ſhall and may be lawful for any Juſtice, on Complaint made, upon View of the Record of his Trial, to cauſe him or them to be executed, by hanging or otherwiſe, as is before directed. Tranſported Slave returning to this Iſland, to be taken up and executed.

XXI. And it is further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon to ruinate and deſtroy any Plantation deſerted for the Space of Six Months, leſt it become a Receptacle for Fugitives; and the Juſtices in Seſſions, upon Complaint made, whereby it appears to them that any ſuch deſerted Plantation doth remain undeſtroyed, to the Encouragement and Maintenance of out-lying Slaves, the ſaid Juſtices are hereby impowered to iſſue out their Warrants to the Surveyor or Surveyors of the Highways in that Pariſh or Precinct, for the deſtroying the Proviſions in the ſaid Plantations, who are hereby required and impowered to cauſe the ſame to be done, upon the ſame Account and in the ſame Manner as if it were upon the repairing the Highways; which ſhall be allowed in the Surveyor's Account accordingly. Plantation deſerted for Six Months, to be deſtroyed, &c.

XXII. And it is further enacted by the Authority aforeſaid, That every Commiſſion-officer within this Iſland ſhall be, and is hereby impowered and required, on Notice to him given of the Haunt, Reſidence, or Hiding-place of any runaway Slaves, to raiſe a convenient Party of Men, not exceeding Twenty, and with them to purſue, kill, or take alive, all or any of the ſaid Runaways, and ſhall have and receive from their Owners, as a Reward for their ſo doing, Forty Shillings *per* Head for all Slaves taken and brought in alive, and Twenty Shillings *per* Head for every Slave killed or driven home; that is to ſay, for all Slaves run away that ſhall ſurrender themſelves after the going out of the ſaid Party: All which Sums ſhall be recovered before any Two Juſtices of the Peace, who are hereby impowered and required, upon Complaint made to them, to proceed therein as in all Caſes of Forty Shillings; which ſaid Money ſhall be divided among the ſaid Party, the Officer reſerving Three Shares to himſelf; and whatſoever Commiſſion-officer or Officers ſhall neglect his or their Duty therein, he or they ſhall forfeit the Sum of Twenty Pounds. Commiſſion-officer to purſue runaway Slaves, his Reward for taking them, &c.

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Juſtice to iſſue his Warrant for apprehending and trying of Felons.

XXIII. And be it further enacted by the Authority aforeſaid, That upon Complaint made to any Juſtice of the Peace of any Felony, Burglary, Robbery, burning of Houſes, Canes, rebellious Conſpiracies, or any other Capital Offence whatſoever, he the ſaid Juſtice ſhall iſſue out his Warrant for the apprehending the Offender or Offenders, and for all Perſons to come before him that can give Evidence (and the Evidence of One Slave againſt another, in this and all other Caſes, ſhall be deemed good and ſufficient Proof) and if upon Examination it probably appears, that the Apprehended are guilty, he ſhall commit him, her, or them to Priſon, and certify to the next Juſtice the Cauſe, and require him, by Virtue of this Act, to aſſociate himſelf to him; which ſuch Juſtice is hereby required to do: And they ſo aſſociated ſhall iſſue out their Warrant to ſummon Three Freeholders, ſetting forth to them the Matter; and requiring them at a certain Day and Hour, and at ſuch a Place as the Juſtices and Veſtry, or the Juſtices where no Veſtry is, ſhall, as by this Act directed, appoint for ſuch Trials; at which Time and Place the ſaid Juſtices and Freeholders ſhall cauſe the ſaid Offender or Offenders and Evidence to come before them; and if they, on hearing of the Matter (the ſaid Freeholders being by the Juſtices firſt ſworn to judge uprightly and according to Evidence, which Oaths the ſaid Juſtices are hereby impowered and required to adminiſter) ſhall judge the Criminal or Criminals guilty of the Offence complained of, they, or the major Part of them, of whom one to be a Juſtice, as in all Trials within this Act, ſhall give Sentence of Death, Tranſportation, Diſmembering, or any other Puniſhment as they in their Judgement ſhall think meet to inflict, and forthwith, by their Warrant, cauſe immediate Execution to be done by the common, or any other Executioner (Women with Child only excepted, who are hereby reprieved till after Delivery) and if they judge not the Criminals to die for any Crime, but to receive corporal Puniſhment; and that the Owner, as a Recompence, pay unto the Party or Parties injured a certain Sum of Money; that then in caſe the Owner or Owners refuſe to pay the ſaid Sum, the ſaid Juſtices and Freeholders may adjudge the ſaid Criminal or Criminals to the Party or Parties injured, his, her, or their Heirs for ever.

Slave imagining the Death of a white Perſon, to be executed.

XXIV. And if any Slave or Slaves ſhall compaſs or imagine the Death of any white Perſon, and thereof be attainted by open Deed before Two Juſtices and Three Freeholders, ſuch Slave or Slaves ſhall ſuffer Death; any thing herein to the contrary notwithſtanding: And that all Petit Crimes, Treſpaſſes, and Injuries committed by any Slave or Slaves, ſhall be heard and determined by any of his Majeſty's Juſtices within this Iſland.

Officers Puniſhment for Neglect of Duty.

XXV. And if any Juſtice, Freeholder, or Marſhal ſhall neglect his or their Duty herein, ſhall reſpectively forfeit Twenty Pounds current Money.

Proviſo.

XXVI. Provided nevertheleſs, That when and as often as any of the afore mentioned Crimes are committed by more than one Slave, that ſhall deſerve Death (Murder only excepted) that then, and in all ſuch Caſes, only one of the ſaid Criminals ſhall ſuffer Death, as exemplary to the reſt, who are to be returned to the Owners, after having received ſuch corporal Puniſhment as the ſaid Juſtices and Freeholders aforeſaid ſhall think fit to inflict; which Owner or Owners of Slave or Slaves ſo delivered back, ſhall bare proportionably the Loſs of the ſaid Slave ſo put to Death; and the Owner of the ſaid Slave ſo put to Death, with the Owner or Owners of the ſaid Slave or Slaves not executed, ſhall pay proportionably the Damage done by the ſaid Criminals to the Party or Parties injured as ſhall be allotted them by the Juſtices and Freeholders, as aforeſaid, not exceeding the Value of the Slave executed.

Juſtices may detain any Perſon's Goods who refuſe to pay.

XXVII. And if any Perſon ſhall refuſe to pay his, her, or their Part ſo allotted him, her, or them; that then, and in all ſuch Caſes, the ſaid Juſtices and Freeholders are hereby required and impowered to iſſue out their Warrant of Diſtreſs upon the Goods and Chattels of the Perſon ſo refuſing, whether they be Owner, Executor, Adminiſtrator, Guardian, or Attorney; and ſhall cauſe the ſame to be ſold at publick Outcry, to ſatisfy the ſaid Money ſo allotted them; to pay and return the Overplus, if any, to the Perſon concerned, firſt deducting Twelve Pence in the Pound for the ſaid Diſtreſs and Sale.

100 *l.* Penalty on Perſons concealing Slaves.

XXVIII. And it is further enacted by the Authority aforeſaid, That if any Perſon ſhall hide, conceal, or make away with any Slave or Slaves, ſuſpected to be guilty of any Capital Offence, and not, upon Demand, bring forth the Slave or Slaves, ſuch Perſon ſhall forfeit one Hundred Pounds.

Any white Servant taken in ſtealing Wood, his Owner ſhall pay 3 *l.*

XXIX. And be it further enacted by the Authority aforeſaid, That if any white Servant ſhall be taken ſtealing any Wood or Timber whatſoever, or any Bark fit for tanning, and be therefore convicted before any Two of his Majeſty's Juſtices of the Peace; the Maſter or Miſtreſs of the ſaid white Servant or Servants ſo offending, ſhall pay unto the Owner or Proprietor of the Land where the Offence ſhall be committed the Sum of Three Pounds current Money of this Iſland; to be recovered before the ſaid Juſtices, who are hereby impowered and required of order the ſame, as in all Caſes of Forty Shillings:

but if a Slave, how to be puniſhed.

But if upon any Slave or Slaves ſhall be found any Wood, Timber, or Bark, as aforeſaid, ſuch Slave or Slaves ſo offending, upon Proof thereof before any Two Juſtices of the Peace, ſhall be by the ſaid Juſtices condemned to ſerve the ſaid Owner or Owners, Proprietor or Proprietors

Proprietors of the ſaid Land Six Months, without any Satisfaction given to the Perſon or Perſons to whom the ſaid Slave or Slaves do belong; any thing to the contrary notwithſtanding. 1696.

In what Caſe Perſon killing a Slave is not liable to an Action.

XXX. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall kill a Slave, ſtealing or running away, that ſhall by Night be found out of his Owner's Ground, Road, or Path, and refuſeth to ſubmit, ſuch Perſon ſhall not be liable to any Damage or Action for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Juſtices, &c. to appoint a Place for the Trial of Slaves.

XXXI. And be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry, or the Juſtices where no Veſtries are, within the ſeveral Pariſhes and Precincts in this Iſland, ſhall appoint a certain Place in each Pariſh or Precinct where ſhall be the Trial of all Slaves for Capital Offences; and a Record ſhall be kept of all Proceedings thereon in a diſtinct Book by the Clerk of the Peace, or Clerk of the Veſtry, where there are no Clerks of the Peace, of each Precinct, who is hereby obliged to give his Attendance at all ſuch Trials; for which he and the other Officers ſhall receive ſuch Fees as the Juſtices and Veſtry, or the Juſtices where there is no Veſtry, ſhall allow; which ſhall be paid by the Pariſh, if the Slave ſhall ſuffer death, but by the Owner, if tranſported.

Slave attempting to Poiſon another Slave, &c. to be puniſhed with death.

XXXII. And whereas divers Slaves have of late attempted to deſtroy ſeveral People, as well white as black, by Poiſon; the Conſequences of which ſecret Way of murdering may prove fatal, if not timely prevented: Be it enacted by the Authority aforeſaid, That if any Negro, or any Slave or Slaves, before the making of this Act, have maliciouſly given or attempted to give, or ſhall hereafter maliciouſly give, attempt, or cauſe to be given to any Perſon whatſoever, free or Slave, any Manner of Poiſon, although the ſame was never taken, or if taken, Death did not or ſhall not enſue upon the taking thereof; the ſaid Slave or Slaves, together with their Acceſſaries, as well before as after the Fact, being Slaves, and convicted thereof before Two Juſtices of the Peace and Three Freeholders, as aforeſaid, ſhall be adjudged guilty of Murder, as if the Party or Parties that took or ſhall take the ſame had died; and ſhall be condemned to ſuffer Death, by hanging, burning, or ſuch other Way or Means as to the ſaid Juſtices and Freeholders ſhall ſeem moſt convenient.

Slaves, altho' freed, how to be tried.

XXXIII. And it is further enacted by the Authority aforeſaid, That all ſuch as have been Slaves and are already freed, as alſo all ſuch as are now Slaves and ſhall hereafter be declared free, ſhall for all Offences, capital or criminal, be tried and adjudged after the Method and Manner within this Act; and the Evidence of a Slave againſt them to be good and valid to all Intents and Purpoſes; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Perſons ſuffering Slaves to rendezvous, feaſt, &c.

XXXIV. And for the Prevention of the meeting of Slaves in great Numbers on *Sundays* and Holidays, whereby they have taken Liberty to contrive and bring to paſs many of their bloody and inhuman Tranſactions: Be it enacted by the Authority aforeſaid, That no Maſters or Miſtreſſes, or Overſeers, ſhall ſuffer any Drumming or Meeting of any Slaves, not belonging to their own Plantation, to rendezvous, feaſt, revel, beat Drum, or cauſe any other Diſturbance, but forthwith endeavour to diſperſe them, by him, or herſelf, Overſeer, or Servants; or not being capacitated to do the ſame, that he preſently give Notice to the next Commiſſion-officer to raiſe ſuch Number of Men as may be ſufficient to reduce the ſaid Slaves: And the ſaid Commiſſion-officer is hereby required and impowered immediately to raiſe the ſaid Men, to reduce and diſperſe the ſaid Slaves: And whatſoever Owner or Owners, Overſeer, or Commiſſion-officer, ſhall neglect his or their Duty herein, ſhall forfeit the Sum of Forty Shillings for every ſuch Offence; to be recovered by Warrant before any Juſtice of the Peace of the ſaid Precincts.

Permitting Slaves to hire out themſelves forfeits 40 s.

XXXV. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall permit or give Leave to any Slave or Slaves of their own, or under their Care, to hire out themſelves; or if any Perſon whatſoever ſhall hire any Slave or Slaves in any other way or Manner than of their Maſters, Miſtreſſes, or other Perſon impowered to let the ſaid Slave or Slaves to hire, or permit them to travel about the Country; or if any Owner or Owners ſhall contract with his, her, or their Slave or Slaves, for any Sum of Money, or other Conſideration whatſoever, to give Liberty to the ſaid Slave or Slaves to employ themſelves as they ſhall think fit, paying ſuch Sum of Money, or other Conſideration; he, ſhe, or they ſhall forfeit the Sum of Forty Shillings for every ſuch Offence; to be recovered before any Juſtice of the Peace; on Half to the Informer; the other Half to be paid to the Church-wardens of the Pariſh, for the Uſe of the Pariſh where ſuch Offence is committed.

Puniſhment of a Slave for ſelling Goods that belong not to his Owner.

XXXVI. And if any Slave or Slaves ſhall buy or ſell in any Place or Market whatſoever any other Goods than ſuch as properly belong to their Owners, or are bought for their Owners Uſe, or are expreſſed in a Ticket from their Owner or Overſeer; ſuch Slave or Slaves, upon Complaint made to a Juſtice of the Peace, ſhall immediately be whipped by Order and at the Diſcretion of the ſaid Juſtice; and whoſoever ſhall receive from, or buy or ſell with ſuch Slave or Slaves, contrary to the true Intent and Meaning of this Act, ſhall

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ſhall forfeit Ten Pounds for every ſuch Offence; to be recovered in any Court of Record; and that the Offenders againſt this Clauſe may not go unpuniſhed, the Juſtices of the ſeveral Pariſhes and Precincts are hereby obliged and impowered to give the Preſentment thereof in charge to the ſeveral Conſtables upon Oath.

Perſons willingly killing any Negro, how to be puniſhed.

XXXVII. AND be it further enacted by the Authority aforeſaid, That if any Perſon ſhall willingly, wantonly, or bloody-mindedly kill a Negro or Slave, he, ſhe, or they ſo offending, being thereof convicted by Verdict or Confeſſion in the Supreme Court of Judicature, ſhall be adjudged guilty of Felony for the firſt Offence, and have the Benefit of the Clergy; but the ſecond Offence ſhall be deemed Murder, and the Offender ſuffer for the ſaid Crime according to the Laws of *England*, Forfeiture of Lands and Tenements, Goods and Chattels only excepted.

Maſters of Boats, *&c.* to give Bond not to carry a Negro without a Ticket from his Owner, *&c.*

XXXVIII. AND it is further enacted by the Authority aforeſaid, That all Maſters or Owners of Boats, Wherries, and Canoes, plying within the Harbour of *Port Royal*, ſhall give their own Bonds of Fifty Pounds *Sterling*, not to carry any Negroes without a Ticket from their Owners or Overſeers (except as before excepted) all which ſaid Bonds are to be taken in the King's Name, and recorded in the Secretary's Office; and thereupon due Recovery to be made by all Perſons receiving Damage, in the ſame Manner as is already appointed in the Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office; and the Secretary is hereby impowered to take one Shilling as his Fee for each of the Bonds, and no more: And in caſe any ſuch Owners of Boats and Canoes ſhall not, within Forty Days from and after the Publication of this Act, give in their Bonds to the Secretary as aforeſaid, they ſhall forfeit Forty Shillings for every Week after the ſaid Forty Days are expired; to be recovered by Warrant from any Juſtice of the Peace, and to the Uſe and Benefit of ſuch Perſon who ſhall inform or complain of the ſame.

Juſtices, *&c.* to do their Duty, tho' Martial-law is in Force.

XXXIX. AND be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Juſtice or Juſtices and Freeholders aforeſaid, in the ſeveral Clauſes in this Act mentioned, to do their ſeveral and reſpective Duties when Martial-law ſhall happen to be in Force, as they might or ought to have done in Time of Common Law; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Slaves ſhall not be free by becoming Chriſtians, *&c.*

XL. AND it is further enacted, That no Slave ſhall be free by becoming a Chriſtian; and for Payment of Debts and Legacies, all Slaves ſhall be deemed and taken as all other Goods and Chattels are in the Hands of Executors or Adminiſtrators; and where other Goods and Chattels are not ſufficient to ſatisfy the ſaid Debts and Legacies, then ſo many Slaves as are neceſſary for the Payment of Debts and Legacies, ſhall be ſold; and the remaining * Slaves, after the Payment of the ſaid Debts and Legacies, ſhall be judged, deemed, and taken as Inheritance, and ſhall accordingly deſcend; and all Children of Slaves, born in the Poſſeſſion of Tenant for Life or Years, ſhall remain, or revert as the Parents do, or ſhould have done, to him or her, in Reverſion or Remainder, after Expiration of ſuch Term of Years after the Death of Tenant for Life or Tenant in Tail, after Poſſibility of Iſſue extinct: Provided nevertheleſs, That nothing in this Clauſe ſhall extend or be conſtrued to extend to Leaſes heretofore made; any thing in this or any other Act to the contrary in any wiſe notwithſtanding.

* *Slaves made Inheritance by a ſubſequent Act*, N° 76.

In what Caſes the Slaves are ſubject to the Payment of Debts, *&c.*

XLI. AND be it further enacted, That all Slaves aſſigned for Dower, ſhall be liable, proportionably with thoſe belonging to any Heir or Heirs, to the Payment of Debts, but not of Legacies; any thing to the contrary notwithſtanding.

Proviſo.

XLII. PROVIDED, That nothing in this Act contained ſhall extend to hinder any Perſon poſſeſſed in his own Right of any Slave or Slaves, to ſell, or, by Gift or otherwiſe, diſpoſe of ſuch Slave or Slaves as he ſhall think fit during his Life-time; which Sale, Gift, or Diſpoſal, ſhall be a perpetual Bar to his Wife, from any Claim of Dower in ſuch Slaves or Slaves.

Legal Purchaſes of Slaves confirmed.

XLIII. AND be it further enacted by the Authority aforeſaid, That all Purchaſes heretofore made of any Slave or Slaves from any Perſons lawfully authorized to diſpoſe of and ſell the ſame for good and valuable Conſideration, are hereby declared to be as good and effectual, to all Intents and Purpoſes, as if the ſame had been by Deed in Writing; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Books to be kept, wherein Entries ſhall be made of Slaves bought and ſold, *&c.*

XLIV. AND to prevent Diſputes that may ariſe for the future about the Titles of or to any Slave or Slaves, be it enacted, That the Clerks of the Peace, or Clerk of the Veſtry where no Clerks of the Peace are, of the ſeveral and reſpective Pariſhes and Precincts within this Iſland, ſhall keep a diſtinct Book, in which Entries ſhall be made of all Slaves ſold and diſpoſed of from one Party to another; in every of which Entries ſhall be expreſſed the Time of the Sale made, with the Names of the Vendor and Vendee, the Name and Mark of the Slave or Slaves, with the Conſideration for which ſold; which ſaid Entry, if the Seller is lawfully authorized to ſell or diſpoſe of ſuch Slave or Slaves, ſhall be as good and valid to ratify and confirm the ſaid Sale or Sales, as if the ſame had been by Deed in Writing under Hand and Seal, and ſhall be held, deemed, and adjudged to be a ſufficient Record and Evidence in any Court of Record within this Iſland; and if by any Perſon

razed

razed or imbeziled, the Perſon ſo offending ſhall ſuffer ſuch Puniſhment as the Law hath provided againſt ſuch as raze and imbezil Records; and for every ſuch Entry the Clerk ſhall receive, if but one Negroe, Seven Pence Halfpenny; if above, Fifteen Pence, and no more: And if any Buyer ſhall fail or neglect to make Entry with the Clerk, as aforeſaid, he ſhall forfeit Forty Shillings for every ſuch Offence: And if the Clerk ſhall refuſe or neglect to make ſuch Entry, he ſhall forfeit Ten Pounds for every ſuch Offence to the Party injured; to be recovered by Action of Debt in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed. Provided nevertheleſs, That this Clauſe, or any thing therein contained, ſhall not be conſtrued to extend to oblige any Perſon or Perſons to make ſuch Entry of Slaves at their firſt Importation into this Iſland; any thing in the above Clauſe to the contrary notwithſtanding. 1696.

XLV. AND be it enacted by the Authority aforeſaid, That all Maſters and Miſtreſſes, Owners, or, in their Abſence, Overſeers of Slaves, ſhall, as much as in them lies, endeavour the Inſtruction of their Slaves in the Principles of the Chriſtian Religion, whereby to facilitate their Converſion; and ſhall do their utmoſt Endeavour to fit them for Baptiſm; and, as ſoon as conveniently they can, ſhall cauſe to be baptized all ſuch as they can make ſenſible of a Deity, and the Chriſtian Faith. Slaves to be inſtructed in the Chriſtian Religion, &c.

XLVI. AND be it further enacted by the Authority aforeſaid, That the Juſtices within the ſeveral and reſpective Pariſhes and Precincts of this Iſland ſhall, at the firſt Seſſions in every Year, limit and appoint the Number of Holy-days that ſhall be given to Slaves at the uſual Feſtivals of *Chriſtmas*, *Eaſter*, and *Whitſuntide*; any thing to the contrary notwithſtanding. Juſtices to appoint them what Holy-days they ſhall keep.

XLVII. AND be it further enacted, That the Juſtices within their ſeveral and reſpective Pariſhes and Precincts within this Iſland, ſhall cauſe this Act to be publiſhed every firſt Seſſions in the Year, on Penalty of Ten Pounds, to be paid by the ſaid Juſtices in caſe of Neglect or Refuſal; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. This Act to be publiſhed once a Year.

XLVIII. AND it is further enacted by the Authority aforeſaid, That all Penalties mentioned in this Act, and not declared where they ſhall be recovered, or how diſpoſed of, not exceeding Forty Shillings, ſhall be recovered by Warrant from any Juſtice of the Peace: And all Penalties exceeding Forty Shillings, ſhall be recovered by Action of Debt, Bill, Plaint, or Information in any Court of Record within this Iſland; one Moiety or Half-part of all ſuch Forfeitures ſhall be to our Sovereign Lord the King, His Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety or Half-part to the Informer, or him or them that ſhall ſue for the ſame. Penalties incurred by this Act, how to be recovered.

XLIX. AND be it further enacted by the Authority aforeſaid, That one Act intituled, *An Act for better ordering of Slaves*, made at a Seſſions held by Prorogation the firſt Day of *September*, in the Twenty fifth Year of the Reign of King *Charles* the Second; as alſo one other Act, intituled, *An Act for the better Government of Slaves*, made at an Aſſembly convened at St. *Jago de la Vega* the Twentieth Day of *July*, in the Fourth Year of the late King *James* the Second; both which ſaid Acts, and every Clauſe and Clauſes, Thing and Things therein contained, are hereby repealed, annihilated, and made void to all Intents and Purpoſes whatſoever; any thing to the contrary notwithſtanding. Repeal of two former Acts.

An Act to enable ſeveral Pariſhes to levy and collect the Arrearages of Monies ariſing by former Acts, and appropriating Money to pay Parties to reduce rebellious Negroes. № 71. Expired.

An Act for compleating the Payment of the Debts contracted during the late Invaſion, and erecting and finiſhing the Fortifications at Port Morant. № 72. Expired.

An Act appropriating the additional Duty to the Revenue, and ſeveral Sums of Money to publick Uſes. № 73. Expired.

1698.

An Act to continue the additional Duty. № 74. Expired.

1698. *An Act to oblige and enable ſeveral Pariſhes of this Iſland to raiſe, levy, collect, and pay in their Taxes and Arrearages ariſing by former Acts.*

№ 75. Expired.

№ 76. *An Act for confirming and ſecuring Titles to Eſtates.*

WHEREAS by the late dreadful Earthquake, and later Deſcent of the *French* Enemy upon this his Majeſty's Iſland, ſome of the Records have been totally loſt, ſome deſtroyed and ſpoiled, and many Writings, Evidences, and Conveyances, belonging to ſeveral of the Inhabitants, either burnt, ſunk, or deſtroyed, or otherwiſe may be found deficient; whereby it becomes difficult, if not impoſſible, juſtly to determine each Perſon's Right and Title, which hath already occaſioned many troubleſome Law-ſuits, and like to procure many more; and, if not timely prevented by ſome good Law, may tend to the utter Ruin of many of his Majeſty's good Subjects in this Iſland: Be it enacted and ordained by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all preſent Poſſeſſors of Lands, Tenements, Hereditaments, or Negroes, who have been Five Years in quiet and peaceable Poſſeſſion, without Claim or Interruption, or ſhall remain quietly and peaceably poſſeſſed without Claim or Interruption for the Space of Five Years from the Time of ſuch Poſſeſſion, ſhall for ever hereafter hold the ſame as an Eſtate of Inheritance againſt all Perſons whatſoever that can or may pretend to claim any Eſtate or Intereſt in the ſaid Lands, Tenements, Hereditaments, or Negroes.

Perſons having quiet Poſſeſſion of an Eſtate for five Years, to hold it as Eſtate of Inheritance,

II. AND that in all Actions concerning Titles of Lands, Tenements, Hereditaments, or Negroes, it ſhall be a good Plea in bar in ſuch Action, for the Tenant or Defendant to alledge, That he, ſhe, or they, his, her, or their Anceſtors or Predeceſſors, whoſe Eſtate he, ſhe, or they poſſeſs, have or hath been in quiet and peaceable Poſſeſſion of ſuch Lands, Tenements, Hereditaments, or Negroes in Queſtion, for and during the Space of Five Years before the paſſing of this Act; or that now being in ſuch Poſſeſſion, ſhall ſo remain and continue for the Space of Five Years from the time of ſuch Poſſeſſion; and this Plea entered ſhall bar the Plaintiff or Defendant, unleſs he can diſprove the ſame, or make it appear that the ſaid Five Years Poſſeſſion was during the Time that the Plaintiff or Defendant was under the Age of One and twenty Years, a Woman under Coverture, or Perſon of unſound Memory; or that the Defendant or Tenant held the ſame as Tenant by Leaſe, or Attorney, Guardian, or by virtue of ſome particular Uſe, Truſt, Mortgage, Courteſy, Dower for Years, Life, or in Tail, which, at or before the Time of that Action brought, was fully expired.

and may plead ſuch Poſſeſſion in bar of all Actions.

Exception.

Proviſo.

III. PROVIDED, That ſuch Perſon under the Age of Twenty one Years, Woman under Coverture, or Perſon of unſound Memory, ſhall bring their Action for any ſuch Eſtate as aforeſaid within Three Years after ſuch Perſon ſhall attain the Age of One and twenty Years, or Woman under Coverture ſhall become ſole, or Perſons of unſound Memory ſhall be *Compos Mentis*; and if any of the Perſons as aforeſaid ſhall not commence his, her, or their Action within the ſaid Three Years, or any Perſon or Perſons being abſent from this Iſland at the Time of the paſſing of this Act, ſhall not within the Space of Three Years next enſuing, commence his, her, or their Action, every ſuch Perſon ſhall be, and are hereby for ever debarred for bringing or commencing any ſuch Suit: But if any ſuch Perſon or Perſons, as aforeſaid, ſhall bring any manner of Action whatſoever after the Times aforeſaid limited in this Act, it ſhall and may be lawful for the Defendant or Tenant to give this Act in Evidence, to bar any ſuch Action; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Mortgaged Eſtatesexcepted.

IV. PROVIDED, That nothing in this Act ſhall extend to any Eſtate under Mortgage; but that every ſuch Eſtate ſhall be and remain, to all Intents and Purpoſes, as before the making of this Act; any thing herein contained to the contrary in any wiſe notwithſtanding.

№ 77. Expired. *An Act appropriating the Sum of Fifteen hundred Pounds to the Uſe of the Right Hon. Sir* William Beeſton, *Knt.*

№ 78. Private. *An Act to enable Truſtees to ſell Part of the Land of* James Crips, *deceaſed, to diſcharge a Mortgage.*

№ 79. Private. *An Act of Favour to Capt.* Uſher Tyrrel, *in Conſideration of his Sufferings by the* French.

An

1699.
N° 80.

An Act for raiſing Parties to ſuppreſs rebellious and runaway Negroes.

WHEREAS the runaway and rebellious Negroes in this Iſland have of late murdered ſeveral of the Inhabitants thereof, as well white Perſons as Negroes, and have plundered and deſtroyed many of the ſmall and Out-ſettlements, and do ſtill in great Numbers continue doing what Robberies and other Miſchiefs they are able, and daily increaſe their Numbers, by other Negroes running away and joining with them, which may be of fatal Conſequence, if not timely ſuppreſſed, by taking ſome ſpeedy Courſe to reduce them; be it therefore enacted by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That it ſhall and may be lawful for the Colonel of every Regiment or Pariſh in this Iſland, or in his Abſence the next commanding Officer of the ſaid Regiment or Pariſh, on Notice to him given of any conſiderable Number of Negroes run away or in Rebellion, to raiſe and ſend out ſuch Party or Parties of Men, as he ſhall think convenient to reduce ſuch runaway or rebellious Negroes.

Officers impowered to purſue runaway Negroes.

II. AND for the better Encouragement of ſuch Men to go out and ſuppreſs any runaway or rebellious Negroes, as aforeſaid, it is hereby enacted, That the Commander of every ſuch Party ſhall have and receive Six Pounds *per* Month, the Serjeant Three Pounds *per* Month, and the reſt of the Party each Fifty Shillings *per* Month, beſides all Plunder and other Encouragement given them in an Act, intituled, *An Act for the better Order and Government of Slaves*: Which Party ſhall uſe their utmoſt Endeavours to purſue, take, and deſtroy all ſuch Negroes, not only within the Limits and Bounds of their own Precincts, but alſo in any other adjoining Precinct, until any One of the Commiſſion-officers of that Precinct where the Party then is, ſhall have Notice from the Commander of the ſaid Party to raiſe another Party to follow the ſaid Rebels or Runaways, nor preſume to return to their Habitations, until they have either reduced the ſaid runaway or rebellious Negroes, or that the other Party be raiſed, or that they have been out in the Purſuit of them one whole Month, if not ſooner recalled by their Commanding-officer; and that then, on the Return of the ſaid Party or Parties, their Colonel, or next Commanding-officer, as aforeſaid, ſhall give a Certificate under his Hand what is due to each Perſon belonging to the ſaid Party; which Certificate appearing before the Governor or Commander in Chief of this Iſland for the time being, the ſaid Parties ſhall forthwith receive out of the Revenue, by an Order from the Governor and Council, their full Pay mentioned in the Certificate aforeſaid: And whatſoever Officer or private Sentinel ſhall refuſe the lawful Command of his Colonel or next Commanding-officer, as aforeſaid, by not going out in the ſaid Party, or procuring an able Man well armed in his Stead to perform his Duty, the ſaid Colonel, or next Commanding-officer, ſhall forthwith commit the ſaid Officer or private Sentinel into Cuſtody of the Marſhal of the Regiment, in order to be tried and puniſhed as is provided againſt ſuch as diſobey their ſuperior Officers

Officers and Soldiers Pay.

III. AND whereas a Party was formerly commanded out by Col. *Modyford Freeman*, under the Command of *James Hammond*, with a Promiſe to be paid, as was then agreed on by the ſaid Col. *Freeman*, but have not yet received their Pay; be it therefore enacted by the Authority aforeſaid, That Lieutenant Colonel *Nicholas Richardſon* is hereby impowered to account with the Men belonging to the ſaid Party, and certify to the Governor what Monies remain due to them; which Party, after having accounted as aforeſaid, ſhall forthwith be paid out of the Treaſury of this Iſland, by an Order from the Governor and Council to the Receiver-general.

Clauſe appointing Satisfaction to be made *James Hammond*, &c.

IV. AND whereas ſeveral Perſons were appointed by an Act, intituled, *An Act for the Encouragement and Freedom of Servants and Slaves, which have done, or ſhall do any remarkable Service againſt the* French *during this preſent War*; to and by virtue of that Act, *Richard Lloyd*, *James Baniſter*, *Thomas Bindlows*, and *John Walters*, Eſqs. Four of the Perſons nominated in that Act, did under their Hands and Seals ſet free a Negroe Man, named *Cornelius*, belonging to *John Lewis* of *Port Royal*, Merchant, which they valued to be worth Thirty and five Pounds: And by virtue of the ſame Act, *Richard Lloyd*, *John Walters*, and *Thomas Bindlows*, Eſqs. Three of the Perſons nominated in the ſaid Act, did under their Hands and Seals ſet free a Negroe Man, named *Sawcy*, belonging to the Eſtate of *Jonathan Aſhurſt*, deceaſed, which they valued to be worth Thirty Pounds: And whereas ſeveral other Perſons, Inhabitants of this Iſland, have had ſeveral Negroes freed by virtue of the aforeſaid Act, and have ſince been paid by virtue of one other Act, intituled, *An Act for raiſing the Sum of Eleven thouſand Pounds for paying the Debts contracted during the Deſcent of the* French, and what remained in the Receiver's Hands, raiſed by virtue of that Act, more than was paid away by the ſaid Receiver's being appropriated to the Revenue: And the ſaid *John Lewis*,

Slaves diſcharged for Services done againſt the *French*, to be paid for out of the Treaſury.

1699. *Lewis*, and the Eſtate of *Jonathan Aſhurſt* being yet unpaid for the ſaid Negroes, it is therefore enacted by the Authority aforeſaid, That the ſaid *John Lewis* receive Thirty and five Pounds, and the Eſtate of *Jonathan Aſhurſt* Thirty Pounds current Money out of the Treaſury of this Iſland, by an Order from the Governor and Council to the Receiver-general.

N° 81. *An Act to oblige Patentees of Offices to reſide in this Iſland.*

Repealed.

N° 82. *An Act for uniting the Precincts of St.* Andrew *and* Kingſton.

WHEREAS in one Act of this Iſland, intituled, *An Act for making* Kingſton *a Pariſh*, amongſt many other Powers, Authorities, Privileges, Rights, Immunities, and Cuſtoms granted thereunto, it was enacted, and ordained, That there ſhould be erected, eſtabliſhed, and held in the ſaid Town a Quarter-ſeſſions for the Conſervation of the Peace, and a Court of Common-pleas, with the ſame Power and Authority that is, or lately hath been held or exerciſed at *Port Royal:* And whereas the ſaid Town and Pariſh of *Kingſton* having lain under great Diſadvantages and ſeveral Diſcouragements, and the Trade being much decayed, hath induced many of the Inhabitants to remove from and leave the ſame, ſo that it is become difficult for the ſaid Inhabitants, by reaſon of the Death of ſome, and the Removal or Reſignation of others in ſeveral Commiſſions, to keep and hold the Quarter-ſeſſions and Court of Common-pleas, as aforeſaid; be it therefore enacted by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That, for the Eaſe and Benefit of the ſaid Pariſh of *Kingſton*, from and after the firſt Day of *July*, in this preſent Year One thouſand ſix hundred ninety nine, the Precinct of St. *Andrew* and the Precinct of *Kingſton* ſhall be, and are hereby united and made one Precinct: And for the holding and keeping the Quarter-ſeſſions for the Conſervation of the Peace and Court of Common-pleas, all Perſons in Commiſſion, as aforeſaid, in either of the ſaid Pariſhes, are hereby impowered and required to aſſociate and act within the Limits of either or both the ſaid Pariſhes, as fully and amply, to all Intents and Purpoſes whatſoever, as if both the ſaid Pariſhes had been particularly named and expreſſed in their ſeveral Commiſſions.

The Pariſhes of St. *Andrew* and *Kingſton* united,

II. AND it is further enacted by the Authority aforeſaid, That the Quarter-ſeſſions and Court of Common-pleas for the Precincts of St. *Andrew* and *Kingſton*, ſhall be held and kept alternately at ſuch Time and Times as hath formerly been uſed in the Pariſh of St. *Andrew*, one Time at the Pariſh of St. *Andrew* and another Time at *Kingſton*, ſucceſſively; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

and the Quarter-ſeſſions, *&c.* to be held there alternately.

N° 83. *An Act to oblige the Pariſhes of St.* Catharine *and St.* Andrew *to build a Bridge over* Rio Cobre.

WHEREAS the difficult Paſſage and unſecure Road between the Pariſhes of St. *Andrew* and St. *Catharine* hath been, and is a great Diſadvantage, not only to the Inhabitants of the ſaid Pariſhes, but to the Iſland in general; be it therefore enacted by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That within one Month after the paſſing of this Act, the Juſtices of the Pariſhes of St. *Andrew* and St. *Catharine* ſhall view that Part of the River where the Horſe-ferry now is, dividing the aforeſaid Pariſhes and the Roads of each Side the ſaid River as far in St. *Andrew*'s as the Plantation, commonly called *Water-houſe*, and in St. *Catharine*'s as far as the Plantation, commonly called *Cow Park*; and within Three Months after the Paſſing of this Act, they the ſaid Juſtices and Veſtrymen ſhall lay ſuch a Tax on each reſpective Pariſh, and raiſe and levy ſo much Money as ſhall be ſufficient for the building a good, ſtrong, and ſecure Bridge over that Part of the ſaid River where the Horſe-ferry now is, or over any Part where the ſaid Juſtices ſhall think moſt convenient; or for the making ſuch a Road on each Side of the ſaid River as any Cart, Wain, Waggon, Coach, or other Carriage may meet and paſs by each other without Lett or Damage, which ſhall be done at the proper Coſts and Charges of each reſpective Pariſh.

A Bridge to be built by the Pariſhes of St. *Andrew* and St. *Catharine*, *&c.*

II. AND be it further enacted by the Authority aforeſaid, That the Bridge ſo to be built ſhall be at leaſt twelve Foot wide, and railed on both Sides, and ſhall be done at the common and equal Charge of the aforeſaid two Pariſhes within the Space of Twelve Months after the firſt Day of *July*, in this preſent Year of our Lord One thouſand ſix hundred ninety nine; and ſhall always be by the ſaid Pariſhes maintained and kept in Repair, over which all Perſons ſhall paſs free: And if it ſhall happen, that the Bridge, when

Its Dimenſions.

when built, ſhall be broke down, fall, or be carried away by any Flood, or otherwiſe, that then the ſaid Juſtices and Veſtrymen for the time being of each of the aforeſaid Pariſhes, ſhall lay a Tax, and raiſe ſo much Money as ſhall build another Bridge of the ſame Strength and Dimenſions. 1699.

III. AND be it enacted by the Authority aforeſaid, That whatſoever Juſtice or Veſtryman of the Pariſhes aforeſaid ſhall neglect his or their Duty herein, he or they neglecting ſhall forfeit for each Offence reſpectively the Sum of Fifty Pounds to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this his Majeſty's Iſland, and the contingent Charges thereof; to be recovered in the Supreme Court of Judicature, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or *Non vult ulterius proſequi* ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Penalty on Juſtice, &c. neglecting his Duty,

IV. AND be it further enacted by the Authority aforeſaid, That the Maſters or Owners of the Ferryboat ſhall and are hereby obliged to maintain and keep the ſaid Ferryboat in good and ſufficient Repair, and receive ſuch Toll and Duty as is directed and appointed in one Act of this Iſland, intituled, *An Act for maintaining the Ferry between St.* Catharine's *and St.* Andrew's, until ſuch Time as the aforeſaid Bridge ſhall be built and compleated. and on Maſter of Ferryboat not keeping his Boat in Repair.

V. PROVIDED nevertheleſs, That no Duty or Toll ſhall be paid for paſſing over the ſaid Ferry by any Perſon or Perſons employed in or about the building the ſaid Bridge, or for the conveying or carrying over any Materials belonging to the ſame. Proviſo.

VI. AND if the ſaid Maſters or Owners of the ſaid Ferryboat ſhall refuſe or neglect to do and perform what they are hereby required, they ſhall reſpectively forfeit the Sum of One hundred Pounds; to be recovered and applied as aforeſaid; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 100*l.* Penalty on the Maſter of Ferryboat neglecting his Duty.

An Act to make ſundry Perſons a Body Politick, and Directors for the Bath of St. Thomas *the Apoſtle.* № 84.

WHEREAS there has been lately diſcovered in the Land of Col. *Edward Stanton*, in the Pariſh of St. *Thomas in the Eaſt*, ſeveral Springs of Mineral Water, whereby many great and wonderful Cures have been effected on divers Perſons; the which would be of extraordinary Benefit to this Iſland, were the Roads and Paths thereunto made paſſable for ſick and infirm People, and Proviſion made of warm and convenient Apartments, and other Neceſſaries; which, by reaſon of the ragged Mountains, cannot be done without great Charge and Expence, nor maintained and ſupported without a certain Fund of Money, and good Order and Government: And whereas the Proprietor, Col. *Edward Stanton*, has declared his Willingneſs to transfer his Right to the ſaid Springs and Lands adjoining for the publick Good; We therefore, the Aſſembly of this your Majeſty's Iſland, humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That for the purchaſing the ſaid Springs and Lands adjoining, and for making a good Road to the ſaid Springs, and for erecting ſuch Buildings as ſhall be convenient for poor, ſick, and infirm People, and other Neceſſaries, the Sum of One thouſand two hundred and fifty Pounds, ariſing by virtue of one Act, intituled, *An Act for raiſing an additional Duty and Impoſt*, made this preſent Aſſembly, be paid by the Receiver-general into the Hands of the Perſons hereafter nominated and appointed, or into the Hands of ſuch Perſon or Perſons whom they, or the major Part of them, ſhall appoint. 1250*l.* to be paid to the Perſons herein named, for purchaſing the Springs, &c.

II. AND be it further enacted by the Authority aforeſaid, That the Right Hon. Sir *William Beeſton*, your Majeſty's Lieutenant-Governor and Commander in Chief of *Jamaica*, and ſuch as after him ſhall ſucceed in the ſaid Office of Governor or Commander in Chief of *Jamaica*, for and during the Time they ſhall ſo continue in the ſaid Office, *Peter Beckford* Eſq; one of the Privy Council of the ſaid Iſland, *Peter Heywood* Eſq; one other of the Privy Council of this Iſland, *Nicholas Laws* Eſq; one other of the Privy Council, and Chief Juſtice of this Iſland, and ſuch as ſhall ſucceed him in the Place of Chief Juſtice of this Iſland, during the Time they ſhall continue Chief Juſtice; *Charles Knights* Eſq; *Henry Low* Eſq; *Thomas Ayſcough* Eſq; *Richard Dawkins* Eſq; *Charles Chaplin* Eſq; *James Baniſter* Eſq; *Joſiah Heathcote* Eſq; all of the Privy Council of this Iſland, and all others who ſhall hereafter be of the Privy Council of this your Majeſty's Iſland of *Jamaica*, during the Time they ſhall continue in the ſame Dignity; *Nicholas Richardſon* Eſq; *John Clark* Eſq; *Edward Turner* Eſq; *William Harris* Eſq; and *Arthur Meautis* Eſq; Juſtices of the Peace of the Pariſhes of St. *Thomas* and St. *David* in this Iſland, and ſuch as hereafter ſhall be Juſtices of the *Quorum* in the ſaid Pariſhes of St. Which Perſons are hereby incorporated,

1699. *Thomas* and St. *David*, or either of them, during the Time they ſhall continue Juſtices, ſhall and may be a Body Politick and Corporate; and ſhall for ever hereafter ſtand and be incorporated, eſtabliſhed, and founded, in Name and in Deed, a Body Politick and Corporate, to have Continuance and Succeſſion for ever by the Name of *The Directors of the Bath of St.* Thomas *the Apoſtle*, and by that Name to have perpetual Succeſſion for ever: And the ſaid Directors, and their Succeſſors for the time being, ſhall and may have lawful Power, Licence, and Authority to purchaſe and hold to them and their Succeſſors all that Parcel of Land, containing by Eſtimation Eleven hundred and thirty Acres, wherein the ſame Springs are; and that the ſaid Springs, and the Eleven hundred and thirty Acres of Land, when and as ſoon as the ſame ſhall be purchaſed by them, ſhall be called and known by the Name of *The Bath of St.* Thomas *the Apoſtle*; and that the Springs and Lands, and all Edifices to be thereupon built, ſhall be and remain unto the ſaid Directors for ever, for the Uſe and Benefit as well of all your Majeſty's loving Subjects as Foreigners.

and may ſue and be ſued in the Name of *The Directors of the Bath of St.* Thomas *the Apoſtle*,

III. AND be it further enacted by the Authority aforeſaid, That the ſaid Directors for the time being, and their Succeſſors, ſhall have full Power and lawful Authority by the aforeſaid Name of *The Directors of the Bath of St.* Thomas *the Apoſtle*, to ſue and be ſued, implead and to be impleaded, to anſwer and to be anſwered unto, in all Manner of Courts and Places that now are and hereafter ſhall be within this Iſland of *Jamaica*, in all Manner of Suits whatſoever, and of what Nature and Kind ſoever ſuch Suits and Actions be or ſhall be, in the ſame ample Manner and Form, to all Intents, Conſtructions, and Purpoſes, as any other Perſon or Perſons, Bodies Politick and Corporate in the Realm of *England*, being able Perſons in Law, may do.

and to farm let any of their Eſtate,

IV. AND be it further enacted by the Authority aforeſaid, That the ſaid Directors, and their Succeſſors for the time being, ſhall and may have full Power and Authority to demiſe, leaſe, or to farm let, any Part or Parcel of the ſaid Lands or Houſes hereafter to be built.

and uſe a common Seal,

V. AND be it further enacted by the Authority aforeſaid, That the ſaid Directors, and their Succeſſors for the time being, may have and uſe a common Seal, for the making, granting, and demiſing of ſuch their Demiſes and Leaſes, and for the doing all and every other Thing touching or in any wiſe concerning the ſaid Incorporation: And alſo, that the ſaid Directors, or the major Part of them, ſhall and may have full Power and Authority to change and alter the ſaid Seal at their Pleaſure.

and appoint Officers requiſite for the ſaid Corporation,

VI. AND be it further enacted by the Authority aforeſaid, That the ſaid Directors, and their Succeſſors, or the moſt Part of them, ſhall and may have full Power and Authority under the ſaid common Seal to chooſe, nominate, and appoint ſuch and as many Officers as they, or the moſt Part of them, ſhall judge neceſſary and requiſite for the ſaid Corporation; and to pay and allow them ſuch reaſonable Penſions, Fees, or Salaries, as to them ſhall ſeem meet; and the ſame, or any of them, upon any Neglect or Miſdemeanor, to diſplace and remove; and upon the Death, Reſignation, Deprivation, or Removal of them, or any of them, others in their Place and Stead to appoint and put; and to make, ordain, ſet down, and preſcribe ſuch Rules, Laws, and Ordinances, for the Order, Rule, and Government of the ſaid Bath of St. *Thomas* the Apoſtle, and of the Officers belonging to the ſame; and that the ſame Orders, Rules, Statutes, and Ordinances, ſo by the ſaid Directors, and their Succeſſors for the time being, or the moſt Part of them, made, ſet down, and preſcribed, as aforeſaid, ſhall be and ſtand in full Power and Strength in Law (the ſame not being repugnant or contrary to your Majeſty's Prerogative Royal, nor to the Laws and Statutes of your Majeſty's Realm of *England*, or of this your Iſland of *Jamaica*, nor to any Eccleſiaſtical Canons or Conſtitutions of the Church of *England*, then in Force and Uſe.)

and erect a Market within the Bounds of the ſaid Bath,

VII. AND be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Directors, or their Succeſſors for the time being, and they have hereby full Licence, Power, and Authority to erect and eſtabliſh, within the Bounds and Limits of the Bath of St. *Thomas* the Apoſtle, a Market for the killing, ſelling, and vending of neat and other Cattle and Stock, and all other Sorts of Proviſions, to be held upon ſuch Days and Times as the aforeſaid Directors, and their Succeſſors for the time being, or the major Part of them, under their common Seal, ſhall appoint; with the like full Power and Authority for the ſaid Directors, and their Succeſſors for the time being, to order and appoint a Clerk of the ſaid Market, with reaſonable Fees and Allowances, not exceeding what by Law ſhall be eſtabliſhed in this Iſland in other Markets; and the ſaid Clerk for his Miſdemeanor or Neglect, to diſplace and remove; and in caſe of his Death, Reſignation, Deprivation, or Removal, others in his Stead to appoint and put.

and grant Licences for retailing Strong Liquors.

VIII. AND alſo to grant Licence or Licences to ſuch Perſon or Perſons as they ſhall think fit, to ſell and retail Strong Liquors, without any Fee or Charge for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

IX. AND

1699.

IX. And be it further enacted by the Authority aforeſaid, That none of the Lands within the Limits of the Bath of St. *Thomas* the Apoſtle, nor any Part thereof, nor any Houſes or Buildings thereon, hereafter to be erected or built, ſhall be ſold, aliened, or otherwiſe diſpoſed of than at Will, or for Term of Years, not exceeding Twenty one Years; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Lands, &c. to be let, but at Will.

X. And be it further enacted by the Authority aforeſaid, That all and every Sum and Sums of Money that ſhall ariſe by virtue of any Leaſe or Leaſes of the ſaid One thouſand one hundred and thirty Acres of Land, or any Part or Parcel thereof, which ſhall be demiſed and granted by the ſaid Directors, or their Succeſſors for the time being, ſhall be employed or laid out, either towards increaſing the Buildings, or mending the Roads to the Bath, and providing Neceſſaries and Conveniencies for ſick and poor People, as the ſaid Directors, or their Succeſſors ſhall think fit; and to no other Uſe, Intent, or Purpoſe whatſoever.

Application of Monies ariſing by making Leaſes of their Eſtate.

An Act appointing Scavengers, and regulating Wharfage at Port Royal.

No 85.

WHEREAS the Town and Pariſh of *Port Royal* hath not Land ſufficient to elect Surveyors of the Highways, according to an Act, intituled, *An Act for the Highways*, made in the Thirty ſecond Year of his late Majeſty King *Charles* the Second, whereby the ſaid Town cannot be kept ſo clean and healthful as it ought or might be; be it therefore enacted and ordained by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful for the Juſtices and Veſtry of *Port Royal* aforeſaid, who alſo are hereby required and obliged every Year when they ſhall firſt meet to lay their Pariſh-tax, to elect and chooſe Two or more Inhabitants of *Port Royal* to be Scavengers in the ſaid Town; and them to be impowered by the Juſtices of the ſaid Place, to employ Rakers for the cleanſing of the Streets, Lanes, Alleys, and publick Places of the ſaid Town, of the Duſt, Filth, and other Annoyances therein, and at ſuch convenient Time and Times as ſhall be by the ſaid Juſtices aſſigned, to be carried away and removed to ſuch Place or Places as to the ſaid Juſtices ſhall ſeem meet, for the Health of the People, and keeping ſweet and clean the ſaid Place; and to pay the Rakers by the Hands of the Church-wardens out of the Stock of the ſaid Pariſh; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Juſtices and Veſtry to appoint Two Scavengers for *Port Royal*.

II. And if any Juſtice neglect his Duty, touching the Premiſſes, or any Part thereof, he ſhall forfeit Ten Pounds; and every Veſtryman, Scavenger, or Clerk of the Veſtry, who ſhall neglect his or their Duty, where no Penalty is before ſet, ſhall reſpectively forfeit Five Pounds for each Offence.

Penalty on Officers neglecting their Duty.

III. And be it further enacted by the Authority aforeſaid, That all Perſons keeping publick Wharfs on *Port Royal* aforeſaid, ſhall be obliged to keep a Book, wherein he, ſhe, or they ſhall fairly enter the Marks and Numbers of all ſuch Goods as ſhall be landed on his, her, or their Wharf or Wharfs, and alſo the Names of the Perſon or Perſons by whom landed, and the Name or Names of the Veſſel or Veſſels out of which the ſaid Goods ſhall be taken, and alſo to take a Receipt of the Perſon or Perſons to whom the ſaid Goods ſhall be delivered.

All Goods landed at publick Wharfs, to be fairly entered, &c.

IV. And if any Owner or Owners of Wharf or Wharfs ſhall receive Payment for any Goods landed on their ſaid Wharf or Wharfs, or for any Veſſel lying and undelivering, or lading thereat, the ſame Wharf or Wharfs ſhall be deemed and held to be a publick Wharf.

What ſhall be deemed a publick Wharf.

V. And whatſoever Wharfinger ſhall neglect to keep ſuch a Book, and to make ſuch Entries, as aforeſaid, ſhall forfeit for every ſuch Offence the Sum of Ten Pounds; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Wharfinger not keeping a Book of Entry.

VI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Owner or Owners of Wharf or Wharfs, as aforeſaid, from and after the Firſt Day of *Auguſt*, in this preſent Year One thouſand ſix hundred ninety nine, to demand and receive of any Perſon or Perſons whatſoever, landing any Goods on his, her, or their Wharfs, the Rates hereafter mentioned, *viz.* For each Hogſhead of Sugar, or other Goods of the Product of this Country, the Sum of One Shilling and Six Pence, for wharfage, landing, covering, weighing, and ſhipping off; and for Indico, Cotton, Piemento, and Ginger, in Bag or ſmall Cask, *per* Hundred, Three Halfpence, for landing, wharfage, and weighing; and the like Sum of Three Halfpence *per* Hundred for ſhipping off again; and for wharfage and weighing of each Ton of Logwood, and all other Woods for the Dyers Uſe, the Sum of Fifteen Pence; and the like Sum of Fifteen Pence *per* every Ton for weighing and ſhipping off the ſame; and for each Ton of *European*

Owners of Wharfs may receive the following Rates for all Goods landed there.

1699. *European* Goods landed, or Goods from *North America*, or the Weſtern Iſlands, Two Shillings Six Pence *per* Ton, *Jamaica* Tonnage; and the like Sum of Two Shillings Six Pence *per* Ton for ſhipping off the ſame again; and for Cocoa, Sarſaparilla, and Jeſuits Bark, the Sum of Three Halfpence *per* Hundred Weight; and for Salt, a Halfpenny *per* Buſhel.

Wharfinger to provide Conveniencies for Goods againſt the Weather.

VII. AND each Wharfinger is hereby obliged to keep a Crane, and Sheds, and Tarpaulins, for ſecuring of Goods landed upon their Wharf or Wharfs from the Weather, on Penalty of forfeiting the Sum of Forty Shillings for every Default, and be further liable to pay any Damage that ſhall be done to any Goods lying on their ſaid Wharf.

Clauſe for Relief of Perſons who ſuffered by the late dreadful Earthquake,

VII. AND whereas many of the Inhabitants of *Port Royal* having Lands adjoining upon his Majeſty's Streets next the Harbour, ſunk in the late dreadful Earthquake; which ſaid Inhabitants are willing to fill up the ſaid Streets adjoining to the ſaid Land, provided they may enjoy the Benefit of the ſaid Streets for Wharfs, in Conſideration of the great Charge they will be at in filling the ſame, until ſuch Time as any other Perſon or Perſons that have Land on the other Side of the ſaid Streets ſhall fill up their reſpective Land, which will be of great Advantage to the Iſland in general; be it therefore enacted by the Authority aforeſaid, That any Perſon or Perſons filling up any Part of a Street as aforeſaid, ſhall enjoy, poſſeſs, and receive the Profit and Benefit thereof, as a Wharf, for the Term of Ten Years, or until ſuch Time as the Proprietor or Proprietors of the Land lying on the other Side of the ſaid Street ſhall fill up their ſaid Lands.

and to prevent certain Places being converted into Wharfs.

IX. AND whereas there are ſeveral publick Streets, Lanes, and Alleys, the Ends of which are adjoining to the Harbour, and convenient for the Water, Canoes, Boats, and Wherries to unload at; no Perſon or Perſons whatſoever ſhall be ſuffered to wharf or fill up the Ends of the ſaid Lanes, Streets, or Alleys towards the Harbour, to prevent or hinder the ſaid Canoes, Boats, or Wherries from landing or taking on Board their Water or other Freight; any thing in this Law, or any other, to the contrary in any wiſe notwithſtanding.

Diſpoſition of Forfeitures.

X. AND be it further enacted by the Authority aforeſaid, That the ſeveral Forfeitures and Penalties in this Act mentioned, ſhall be one Moiety to the Uſe of the Pariſh of *Port Royal*, and the other Moiety to the Informer; to be recovered, if not exceeding Forty Shillings, before any Juſtice of the Peace, and if above Forty Shillings, by Bill, Plaint, or Information in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

№ 86. Expired. *An Act for raiſing an additional Duty and Impoſt.*

№ 87. Private. *An Act to enable Sir* Thomas Modyford *to ſell Lands in* Jamaica.

№ 88. Private. *An Act to impower Truſtees to ſell Lands for Payment of Debts and Legacies of* Robert Byndleſs *Eſq; deceaſed.*

№ 89. Private. *An Act to enable* Sarah Cole *to ſell Lands of her deceaſed Husband,* John Johnſon, *for Payment of his Debts.*

№ 90. Private. *An Act for entailing a Parcel of Lands upon* Edmond Edlyn *Eſq; and his Heirs, according to an Agreement made before Marriage.*

1701-2.

№ 91. Expired. *An Act for quartering Officers and Soldiers.*

№ 92. Expired. *An Act for reviving the Act for raiſing an additional Duty and Impoſt.*

An Act for prohibiting the Exportation of Arms, Ammunition, and Proviſions to Strangers in Time of Danger. — 1701-2. № 93. Expired.

An Act for the Naturalization of Joſiah-James Hanſes, *a Minor.* — № 94. Private.

An Act for raiſing ſeveral Sums of Money to diſcharge the Publick Debts, and providing Funds for the Safeguard of the Iſland. — 1702. № 95. Expired.

An Act to confirm the Acts of the laſt Aſſembly. — № 96. Expired.

An Act to reimburſe John Sadler *Gent. for Money expended for the Improvement of the Eſtate of* Sarah-Grace Sedgwick, *a Minor, deceaſed.* — № 97. Private.

An Act for the more effectual raiſing Parties to purſue and deſtroy rebellious and runaway Slaves. — № 98. Obſolete.

An Act for raiſing an additional Duty and Impoſt. — № 99. Expired.

An Act for the preſent Subſiſtence of her Majeſty's Officers and Soldiers. — № 100. Expired.

An Act to prevent the Re-ſettling of Port Royal. — 1702-3. № 101. Repealed.

An Act to inveſt her Majeſty in Land in Kingſton, *for the Reception of the Sufferers by the late dreadful Fire at* Port Royal, *declaring* Kingſton *to be the chief Seat of Trade, and head Port of Entry; and fortifying* Weſtcheſter. — № 102. Repealed.

Act Act for raiſing Money for providing an Addition to the Subſiſtence of her Majeſty's Officers and Soldiers, and for other Uſes. — 1703. № 103. Expired.

An Act for the better Recovery of the Money raiſed by an Act, intituled, An Act for raiſing Money for providing an Addition to the Subſiſtence of her Majeſty's Officers and Soldiers, and for other Uſes. — № 104. Expired.

1703. *An Act for encouraging Privateers and other Seafaring Men, and to prevent Impreſſing.*

№ 105. Repealed.

№ 106. Expired. *An Act to impower the Juſtices and Veſtry of the Pariſh of St.* George, *to raiſe and pay in their Taxes by a former Act; and indemnify the Juſtices and Veſtry of the Pariſh of St.* Thomas in the Eaſt, *and St.* David, *for not raiſing their Taxes in Time limited.*

№ 107. Expired. *An Act to prevent the Incurſions of the Enemy on the Sea-Coaſts.*

№ 108. *An Act for dividing the Pariſh of St.* Elizabeth *into Two diſtinct Pariſhes, for the Eaſe of the Inhabitants.*

WHEREAS the Pariſh of St. *Elizabeth* is of ſuch large Extent, that the Inhabitants, without long Time of Warning, extraordinary Fatigue, Loſs of Time, and great Expence, cannot convene and appear on publick Occaſions, either at Church, Election of Members to ſerve as Repreſentatives in Aſſemblies, chooſing Church-wardens or Veſtrymen, laying on Taxes, appointing Surveyors, and many other Privileges, as Subjects of *England*, are thereby loſt: And whereas the Quantity of Land, Number of Settlements, and Inhabitants contained in the ſaid Pariſh, are ſufficient for Two ſeveral and diſtinct Pariſhes; be it therefore enacted and ordained by her Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid Pariſh of St. *Elizabeth* be divided, and is hereby divided into Two ſeparate and diſtinct Pariſhes, at a Place commonly called and known by the Name of *Scott*'s *Cove*, in *Syrranam Quarters*, from thence due North-eaſt, ſhall divide the ſaid Two Pariſhes; and from the Eaſtward of the ſaid Diviſion to the Pariſh of *Clarendon* and *Vere*, ſhall be a diſtinct and ſeparate Pariſh, to be called and known by the Name of the Pariſh of St. *Elizabeth*; and to the Weſtward of the ſaid Dividing, as aforeſaid, to the South Bounds of the Pariſh of St. *James*, ſhall be a diſtinct and ſeparate Pariſh, and is hereby called and to be known by the Name of the Pariſh of *Weſtmoreland*; which ſaid Two Pariſhes ſhall be, and for ever hereafter taken and eſteemed, to all Intents and Purpoſes, Two diſtinct Pariſhes, ſeparate from each other, and be called and known by the Name of the Pariſhes of St. *Elizabeth* and *Weſtmoreland*, and have, uſe, exerciſe, and enjoy all and every the Powers, Authorities, Benefits, and Privileges, Rights, Immunities, and Cuſtoms, that all or any of the Pariſhes or Precincts within this Iſland have or ought to have, uſe, exerciſe, or enjoy of common Right, or by virtue of any general Act or Acts of this Country, as fully, amply, and effectually, as if they had been Two diſtinct and ſeparate Pariſhes or Precincts, and therein by Name expreſly mentioned and ſpecified; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The Pariſh of St. *Elizabeth* divided into Two ſeparate and diſtinct Pariſhes.

II. AND whereas it may be ſuppoſed that the Pariſh of St. *Elizabeth*, before the ſeparating and dividing thereof, was indebted and in Arrear, in taxing, levying, and paying ſome publick Debt, or Sum of Money: And whereas there is already, before the dividing of the Pariſh, as aforeſaid, Money taxed, collected, or paid to the Church-wardens or Conſtables; therefore be it enacted and ordained by the Authority aforeſaid, That the Church-wardens which ſhall be next choſen for each of the Two ſeveral and reſpective Pariſhes, ſhall have and receive, ſue for, or recover ſuch Proportion of the Money already taxed, levied, or paid, as was taxed, levied, collected, or paid in or by the Inhabitants of the Pariſh of *Weſtmoreland* before they were divided; and that each of the ſaid Pariſhes ſhall raiſe Money according to the Proportion aforeſaid, for the Payment and diſcharging ſuch publick Debts as were due from the Pariſh of St. *Elizabeth* at the Time of the dividing the ſame into Two ſeparate and diſtinct Pariſhes; any Law, Cuſtom, or Uſage in any wiſe to the contrary notwithſtanding.

Church-wardens of each Pariſh to have Proportion of the Money taxed before the Pariſh was divided.

An

1703.

An Act for making good and valid the laſt Will and Teſtament of Anthony Wood, *late of* Port Royal, *Gent. deceaſed.* — № 109. Private.

An Act to confirm an Agreement made between Olivia Read *Widow, and* Nathaniel Brown, *and* Anna Petronella *his Wife, for the Maintenance of the ſaid* Olivia Read, *and providing Portions and Annuities for the Children of* George Read, *and* John Read, *deceaſed; and appointing Commiſſioners to ſell Lands for Payment of Debts, and other Uſes.* — № 110. Private.

An Act for the Continuance of an Act, intituled, An Act for raiſing Money for providing an Addition to the Subſiſtence of Her Majeſty's Officers and Soldiers, and for other Uſes; *and alſo for continuing one other Act, intituled,* An Act for the better Recovery of the Money raiſed by an Act, intituled, *An Act for raiſing Money for providing an Addition to the Subſiſtence of her Majeſty's Officers and Soldiers, and for other Uſes.* — № 111. Expired.

An Act for raiſing and appropriating an additional Duty and Impoſt. — № 112. Expired.

An Act to encourage the Importation of white Men. — № 113.

WHEREAS the importing of white Servants will very much conduce to the Security and Advantage of this your Majeſty's Iſland: And to the Intent that due Care may be taken, and Encouragement given to all Maſters and Owners of Ships or Veſſels, and others who ſhall import Servants hither, for the diſpoſing of and paying for the ſame, and defraying ſuch Charges as may or ſhall ariſe, accure, or become due by this Act; we your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Lieutenant Governor, Counſel, and Aſſembly, That a Sum of Money, not exceeding Five hundred Pounds, being Part of a Fund ariſing by an Act, intituled, *An Act for raiſing an additional Duty and Impoſt*, or which hereafter ſhall ariſe by virtue of an Act, intituled, *An Act for raiſing and appropriating an additional Duty and Impoſt*, together with the ſeveral Sums herein after named, be, and is hereby appropriated for the Uſes within this Act mentioned. 500*l.* to be appropriated to the Uſes mentioned in this Act.

II. And that every Maſter and Owner of Slaves may have their due Proportion of white Servant Men according to their Number of Slaves; that is to ſay, For their firſt ten Slaves, old and young, one white Servant Man; and for their firſt twenty Slaves, old and young, two white Servant Men; and one white Servant Man for every twenty Slaves after the firſt, to be reſident in the Plantation where ſuch Slaves are employed. Number of white Servants to be kept by Owners of Slaves,

III. And all Perſons having, or that ſhall have neat Cattle, Horſes, Mules, or Aſſinegoes, ſhall for the firſt Sixty have one white Servant Man; and one for every Hundred after the firſt Sixty, to be reſident where ſuch Stock are or ſhall be kept, under the Penalty of forfeiting Forty Shillings for every Refuſal of ſuch Servant as ſhall be placed by the Collector or Receiver-general, in Purſuance of this Act. Neat cattle, &c.

IV. And all Boats, Wherries, and Canoes, that ply within the Harbour of *Kingſton*, *Paſſage Fort*, or *Port Charles*, ſhall, in every ſuch Boat, Wherry, or Canoe, be obliged to keep one white Man, qualified to bear Arms, to be employed in the ſaid Boat, Wherry, or Canoe, under the Penalty of forfeiting Forty Shillings *per* Month current Money of this Iſland, as aforeſaid. and Boats, &c.

V And

1703.

Juſtice to iſſue his Warrant to diſtrain the Boat, &c. of Offenders.

V. And it ſhall and may be lawful for the Juſtice or Juſtices of the Pariſh where ſuch Offence ſhall be committed, to iſſue forth his or their Warrant or Warrants to the Conſtable or Conſtables to diſtrain upon any ſuch Boat, Wherry, or Canoe (although it be in Time of Martial Law) and expoſe them to Sale, by publick Outcry, in the Pariſh where the Offence ſhall be committed: But if the Maſter or Owner of any Boat, Wherry, or Canoe, will ply or work in his ſaid Boat, Wherry, or Canoe, he ſhall be deemed, taken, and eſteemed, to all Intents and Purpoſes, in Lieu and in Stead of a white Servant; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

No Boat, &c. to ply in the Habour of *Kingſton*, &c. before it be numbered and regiſtered in Naval Office.

VI. And to prevent all Frauds that may be committed by any Owners or Plyers of Wherries, Canoes, or Boats, as aforeſaid, be it further enacted, That within Ten Days after the paſſing of this Act, no Boat, Wherry, or Canoe, do or ſhall ply in the Harbour of *Kingſton*, *Paſſage Fort*, or *Port Charles*, until the ſaid Boat, Wherry, or Canoe be numbered; and the Boat, Wherry, or Canoe, and Number, with the Name of the Owner thereof, be firſt regiſtered in her Majeſty's Naval Office; and the Number, with the Surname of the Owner or Owners, wrote at Length, be placed upon the upper Part of the Outſide of the Stern of the ſaid Boat, Wherry, or Canoe, and on no other Part, in large and plain Letters and Figures, upon the Penalty of Forty Shillings for each and every Offence; which Number the naval Officer is hereby required, under the Penalty of Forty Shillings, to regiſter, with the Name of the Owner or Owners, in Order as they come; and deliver in Writing the Number to be placed on the ſaid Boat, Wherry, or Canoe, and receive for his Fee Two Shillings and ſix Pence, and no more.

Penalty on Merchant, &c. ſelling white Servants within Six Days after their Arrival.

VII. And be it further enacted by the Authority aforeſaid, That no Merchant, Maſter, or Importer of white Servants ſhall preſume to bargin or ſell any Servant or Servants within Six days after their Arrival, under the Penalty of forfeiting One hundred Pounds, current Money of this Iſland, for every Servant ſo diſpoſed of.

Collector, &c. obliged to receive ſuch Servants as remain undiſpoſed of.

VIII. And to the Intent that all due Encouragement may be given to all Merchants and other Importers, as aforeſaid, if any Servant or Servants remain undiſpoſed of for the Space of Seven Days after the Expiration of the Time aforeſaid; that then, and in ſuch Caſe, the Merchant, Maſter, or Importer of ſuch Servants, may give a Liſt of the ſaid Servants to the Collector, Receiver-general, or his lawful Deputy, who is hereby obliged to take and receive the ſaid Servants, paying the Importer, if in Time of War, the Sum of Eighteen Pounds current Money of this Iſland *per* Head; and in Time of Peace, Fourteen Pounds *per* Head; provided ſuch Servant or Servants be *Engliſh*, *Scotch*, *Welſh*, or of the Iſlands of *Jerſey*, *Guernſey*, or *Man*: And for all *Iriſh* Servants, the Sum of Fifteen Pounds *per* Head in Time of War, and Twelve Pounds in Time of Peace: Provided alſo, That all ſuch Servants be not under the Age of Fifteen, and not above the Age of Forty Years: And that no convicts, *Jews*, *Quakers*, ſick, decripped, or diſabled Perſons be within the Conſtruction of this Act: And the Collector or Receiver-general receiving ſuch Servants, ſhall forthwith ſend the ſame to the *Cuſtos Rotulorum*, or in his Abſence, to any Two Juſtices of the Peace, One being of the *Quorum*, of the Pariſh or Precinct where the greateſt Deficiencies are, in Proportion to Slaves.

Owners of Slaves obliged to give an Account of the to the Juſtics Number of them, &c.

IX. And to the Intent that the Collector or Receiver-general may be duly informed of the Deficiencies of each Pariſh or Precinct, be it further enacted by the Authority foreſaid, That all Perſons, by themſelves or Overſeers, are hereby obliged, once every Six Months, under the Penalty of Ten Pounds for each and every Offence, to give an Account upon Oath to the Juſtices, in Seſſions, or where no Seſſions are, to any Two Juſtices, the Number of their Slaves and Cattle, and Servants hired for the Space of Six Months; that the *Cuſtos Rotulorum*, or Two Juſtices whereof One to be of the *Quorum*, do forthwith ſend a Liſt of the Deficiencies to the Collector or Receiver-general, under the Penalty of Fifty Pounds current Money of this Iſland, that upon the Arrival of Servants he may ſupply the Deficiences in each Precinct: And the *Cuſtos Rotulorum*, or in his Abſence, any Two Juſtices, as aforeſaid, receiving the ſame, ſhall proportion, value, and allot them to the ſeveral Perſons within their Pariſhes or Precincts, as they in their Diſcretion ſhall judge; provided, that ſuch Sums do not in the whole exceed the Rates within this Act afore mentioned: And all Sum or Sums of Money from thence ariſing, ſhall be, by the Conſtable or Conſtables, within Two Months after ſuch Allotment made, collected, gathered, and paid to the *Cuſtos Rotulorum*, or Two Juſtices, as aforeſaid; who receiving the ſame, ſhall, within Fourteen Days, under Penalty of One hundred Pounds current Money, remit it to the Collector, Receiver-general, or his lawful Deputy, to reimburſe the Monies by him ſo laid out: And if any Perſon or Perſons do not, within the Time appointed, pay the Sum or Sums aforeſaid, although it be in Time of Martial Law, the ſame ſhall be recovered by Warrant from any of her Majeſty's Juſtices of the Peace; as alſo all Debts contracted for any Servant or Servants ſold within this Iſland, in the ſame Manner as is provided in the Act impowering the Juſtices of the Peace to decide Differences not exceeding Forty Shillings; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

X. And

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X. AND the Collector, or Receiver-general, or his lawful Deputy, ſhall be allowed at the Rate of Two and half *per Cent.* for the receiving and paying all ſuch Sum or Sums of Money as he ſhall receive or pay by virtue of this Act, and the Charges he ſhall be at in the Execution of the ſame. Collector's Fees.

XI. AND be it further enacted by the Authority aforeſaid, That all Perſons whatſoever who ſhall hereafter purchaſe or buy any Perſon, or cauſe to be bought or purchaſed any white Servant or Servants, to fill up their Deficiencies, ſhall and are hereby required to give upon Oath (which Oath the Collector or Receiver-general is hereby impowered and required to adminiſter) an Account of the ſame, and in what Pariſh he intends to place them, upon Penalty of forfeiting Twenty Pounds for each Servant bought or purchaſed; to be recovered by Action of Debt in any Court of Record within this Iſland. Any Perſon buying a white Servant, to give Notice of ſuch Purchaſe to the Receiver-general.

XII. AND be it further enacted, That if the Collector or Receiver-general ſhall at any Time ſend to any Pariſh more white Servants than are needful for the filling up the Deficiencies; ſuch Pariſh ſhall and is hereby obliged to receive, keep, and maintain the ſame at the Charge of the ſaid Pariſh for the Space of Ten Days, that the Collector or Receiver-general may aſſign them to ſome other Part, as alſo all Charges of Paſſage and Travel to and from the ſaid Pariſh; and upon the Refuſal ſo to do, ſhall forfeit the Sum of One Hundred Pounds. No Pariſh to have more white Servants ſent to it than are needful.

XIII. AND be it further enacted by the Authority aforeſaid, That all *Jews* that are or ſhall be hereafter Maſters or Owners of Slaves within this Iſland, ſhall ſupply their Deficiencies by their own Nation, or by hired white Chriſtian Men, and not by indented Chriſtian Servants, under the Penalty of Five Hundred Pounds current Money of this Iſland. *Jews* to ſupply their Deficiencies by their own Nation.

XIV. AND be it further enacted, For the greater Encouragement of all Maſters of Ships or Veſſels that ſhall import to this Iſland thirty white Men-ſervants, as aforeſaid, and due Proof upon Oath made thereof before the naval Officer (who is hereby impowered and required to adminiſter the ſame) ſhall for that Voyage be altogether freed and exempted from paying any Port Charges for the ſaid Ship or Veſſel wherein the ſaid Servants are imported; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Maſter of Ship importing 30 white Men-ſervants, freed from Port Charges.

XV. AND be it further enacted by the Authority aforeſaid, That an Act of this Iſland, intituled, *An Act for encouraging of the Importation of white Servants*, confirmed in Council by his late Majeſty King *Charles* the Second, the ſeventeenth Day of *April*, One thouſand ſix hundred and eighty four, and every Clauſe and Clauſes therein contained, be and are hereby repealed, annulled, and made void to all Intents and Purpoſes; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Repeal of a former Act.

XVI. AND be it further enacted by the Authority aforeſaid, That the ſeveral Fines, Forfeitures, and Penalties before mentioned in this Act, and not declared where they ſhall be recovered, or how diſpoſed of, ſhall be one Half to the Uſes in this Act mentioned; and the other Half to the Informer, who ſhall ſue for the ſame: To be recovered, if not exceeding Forty Shillings, before any Juſtice of the Peace; if above Forty Shillings, in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Forfeitures how to be recovered and diſpoſed of.

An Act for aſcertaining, eſtabliſhing, and more ſpeedy collecting her Majeſty's Quit-rents. N° 114.

BE it enacted and ordained by her Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That a Patent ſealed under the Great Seal of this Iſland, and recorded in the Office of Enrolments, eſtabliſhed in this Iſland, ſhall evidence the Patentee or Patentees juſt Right and Title to all and every Parcel of Lands, Houſe or Houſes, Tenements, or other Things in the ſaid Patent granted, and be a good Bar to the Right and Title of her Majeſty, her Heirs and Succeſſors. Patent ſealed under the Great Seal declared a good Title,

II. AND to the end her Majeſty's Grants may not be hindered, delayed, or obſtructed; the Keeper of the Seal, or Chancellor for the time being, ſhall, and is hereby obliged, the next *Tueſday* before each grand Court, to cauſe all ſuch Grants and Patents as are in his Office to be ſealed at St. *Jago de la Vega:* And all inferior Officers, who are concerned in drawing and paſſing the ſame, are then and there likewiſe to be ready to do their Duty. which the Chancellor is to enroll,

III. AND foraſmuch as all Titles of Land are derived from her Majeſty and her Royal Predeceſſors, and the Land hath been laid out, and the Patents made by her Majeſty and her Predeceſſors Officers, in which many Errors or Miſtakes may have happened; which according to the ſtrict Rules of Law might make many Grants void, in all or in part: Be it therefore enacted by the Authority aforeſaid, That all Lands already granted under the Broad Seal of this Iſland, or hereafter to be granted by her Majeſty, her Heirs or Succeſſors, notwithſtanding any Manner, &c. in the ſaid Patent.

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Proviſo. IV. PROVIDED nevertheleſs, and be it further enacted by the Authority aforeſaid, That where either her Majeſty or the Patentee are aggrieved by Miſtake in Quantity, a Re-ſurvey ſhall be made by one Surveyor, indifferently ſworn between the Queen and Patentee, or who claimeth in his Right, before any of her Majeſty's Juſtices of the Peace: Upon which Re-ſurvey a Confirmation of the former Grant ſhall iſſue under the Broad Seal of this Iſland, reciting the Error, and reſerving for the future the ſame Rent mentioned in the ſaid Grant, according to the juſt Quantity found by ſuch Re-ſurvey: For which Confirmation the Chancellor ſhall receive Ten Shillings; and the Clerk of the Patents, Eight Shillings, and no more; to be paid, as all other Charges of the ſaid Re-ſurvey, by the Party requiring the ſame: But no Retroſpect ſhall be had to what Rent ought to have been paid, be the Quantity more or leſs; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Judges to determine in all Diſputes. V. AND be it further enacted by the Authority aforeſaid, That if any Diſpute ſhall ever ariſe upon any Survey, wherein the Survey or Plat given into the Patent-office ſhall vary from the real run and marked Lines; in all ſuch Diſputes the Judges, before whom the ſame ſhall happen, ſhall adjudge the real run and marked Lines, which are proved before them to be run and marked, to be the Bounds of the Lands granted; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

VI. AND whereas there have been Uncertainties and Diſputes in the Payment of her Majeſty's Quit-rents, reſerved in the Patents formerly granted, by Reaſon of the Words *Manured* and *Planted:* And whereas her Majeſty hath been, and now is graciouſly pleaſed, that whatſoever ſhall ariſe from the Quit-rents ſhall be applied towards the Support of the Government, and defraying the contingent Charges of this Iſland: In Conſideration whereof, and to aſcertain the ſame, be it enacted and ordained by the Authority aforeſaid,

Lands granted before the 25th of *June*, 1671, to pay an annual Rent of 1*s.* for every 30 Acres of Land, &c. That every Parcel or Parcels of Land, of what Nature and Quality ſoever, granted and patented before the twenty fifth Day of *June*, in the Year of our Lord One thouſand ſix hundred and ſeventy one, ſhall, for Arrears and growing Rents, pay for every Thirty Acres annually the Sum of One Shilling, and ſo proportionably for every Parcel under One hundred Acres; and for every hundred Acres, Two Shillings and Six Pence, and ſo proportionably for a greater Quantity; and for all Lands, of what Quantity ſoever, from the aforeſaid Time to the Twelfth of *March*, in the Year of our Lord One thouſand ſix hundred ſeventy and four, or that ſhall hereafter be granted, ſhall pay one Half-penny *per* Acre, and ſo proportionably for a greater Quantity; and for Foot-land, one Half-penny *per* Foot for two Sides of the Square added together, and ſo proportionably for a greater or leſſer Quantity, as a certain eſtabliſhed Quit-rent and Acknowledgment to her Majeſty, her Heirs and Succeſſors for ever; any Law, Cuſtom, or Uſage, or any thing contained in the ſaid Patents to the contrary notwithſtanding.

Collector to keep an Office for the Receipt of Quit-rents. VII. AND for the more ſpeedy and eaſy collecting of the ſaid Quit-rents, be it further enacted by the Authority aforeſaid, That the Collector or Receiver of the Quit-rents, or his lawful Deputy, ſhall twice every Year, *viz.* at the Feaſts of St. *Michael* the Archangel, and of the Annunciation of the bleſſed Virgin *Mary*, keep an Office in the Town of St. *Jago de la Vega*, in the Pariſh of St. *Catharine*, and in the Town of *Kingſton*, during the Space of one Month at each Place, and then and there to receive the Quit-rents from the Perſons concerned; which ſaid Office he ſhall attend from the Hours of eight to eleven in the Forenoon, and from the Hours of two to five in the Afternoon; and upon the Receipt of her Majeſty's Quit-rents, thereof to acquit and diſcharge all Perſons.

VIII. AND whereas on the Seventh of *June*, in the Year of our Lord One thouſand ſix hundred and ninety two, there happened a dreadful Earthquake, wherein the Receiver-general loſt the Books of Accounts, and all Papers relating to the Quit-rents and his Office, then kept at *Port Royal:* As alſo the Owners and Proprietors of Lands, by that Calamity, and the Ravage, Spoil, and Devaſtation made by the Enemy ſoon after, many Patents, Deeds, Evidences, and Receipts belonging to the Inhabitants of this Iſland were burnt and deſtroyed; whereby the Receivers of her Majeſty's Quit-rents have ſince from Time to Time been rendered incapable of doing their Duty in collecting the Quit-rents as the Act required: To prevent ſo great an Inconveniency and Hardſhip that has attended this Iſland ſince that Time for want of Money upon all Occaſions, not only to defray the contingent Charges, but alſo to enable the Treaſury, upon any Emergency, to ſupply and furniſh the Country

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Country with Money, without impoſing heavy and burthenſome Taxes upon the Inhabitants, eſpecially in Time of War, wherein often the Deſign is fruſtrated before Money to be raiſed for the Purpoſe can be collected; and fully to enable the Collector, the Receiver-general, and his Deputy, to make and ſtate a juſt and true Account of her Majeſty's Quit-rents; and to indemnify and diſcharge all Patentees, Owners, or Proprietors of Lands chargeable with Quit-rents, from all their Quit-rents and Arrearages of Quit-rents, become due and payable at or before the Feaſt of St. *Michael* the Arch-angel, in the Year of our Lord One thouſand ſix hundred and ninety two; and that ſo great a Branch of the Revenue may be duly and punctually paid and applied from Time to Time, and at all Times hereafter, at the uſual Times mentioned in the Letters-patents for paying the ſame, and in caſe of any Failure and Default of the Payment of the ſaid Quit-rents ſo reſerved in Letters patents, at the uſual Times in the ſaid Grants mentioned and reſerved; and fully to empower and enable the Receiver-general, his Deputy, and other Officers, to proceed and proſecute ſuch Offenders as the Laws in ſuch Caſes do direct: Be it further enacted by the Lieutenant-Governor, Counſel, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all Sum and Sums of Money that were due for Quit-rents in this Iſland on or before the Feaſt of St. *Michael* the Arch-angel, in the Year of our Lord One thouſand ſix hundred and ninety two, from any Perſon or Perſons whatſoever, be and are hereby acquitted, releaſed, and diſcharged; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Perſons diſcharged from paying Quit-rents due before the Feaſt of St. *Michael*, 1692.

IX. And be it further enacted by the Authority aforeſaid, That all Perſons reſiding in this Iſland, by themſelves, Agents, Factors, Attornies, or other Perſons, ſhall repair to the Town of St. *Jago de la Vega*, or *Kingſton*, at or before the firſt Day of *February*, in this preſent Year One thouſand ſeven hundred and Three, and then and there account with the Receiver-general, or his Deputy or Deputies, for all Sum or Sums become due and payable for their Quit-rents until the Feaſt of St. *Michael* the Arch-angel, in this preſent Year One thouſand ſeven hundred and three; and pay or give Security to pay the ſame at or before the firſt Day of *May* next, in the Year One thouſand ſeven hundred and four, after the making up ſuch Account: And the Receiver-general, or his Deputy, ſhall, on Demand, given a Certificate unto ſuch Perſon or Perſons, that he, ſhe, or they have ſo accounted, paid, or given in Security to pay, at or before the ſaid firſt Day of *May* next, all ſuch Sum and Sums of Money due from him, her, or them, for their and each of their Quit-rents and Arrearages of Quit-rents to the Feaſt of St. *Michael* the Arch-angel, in this preſent Year One thouſand ſeven hundred and three, as aforeſaid; for which the Receiver-general, or his Deputy, ſhall take Two Shillings and Six Pence, as a Fee for the ſame, and no more; any Law, Cuſtom, or Uſage to the contrary notwitſtanding.

Time limited for paying Arrears of Quit-rents due on the Firſt of *February*, 1703.

X. And be it further enacted and ordained by the Authority aforeſaid, That all Perſons that do not inhabit and reſide within this Iſland, and are poſſeſſed and hold any Land or Lands within the ſame, and have no Effects whereon her Majeſty may diſtrain for the Quit-rents due for the ſame in this Iſland; every ſuch Perſon or Perſons are hereby required and obliged, by themſelves, Agent, or Attorney, within eighteen Months after the firſt Day of *February*, in the Year of our Lord One thouſand ſeven hundred and three, to account with the Receiver-general for the time being, or his Deputy, and pay all ſuch Sum or Sums of Money as ſhall be found due to her Majeſty for Quit-rents ſince the Feaſt of St. *Michael* the Arch-angel, in the Year One thouſand ſix hundred and ninety two, under the Penalty of forfeiting the ſaid Land or Lands: And in caſe at the Expiration of the ſaid Term of eighteen Months after the firſt Day of *February*, in this preſent Year One thouſand ſeven hundred and Three, the ſaid Owner or Poſſeſſor do not, by himſelf, Agent, Attorney, or other Perſon, account and pay as by this Act is required; that then the Provoſt-marſhal-general of this Iſland, or his Deputy, is hereby authorized and required to make Proclamation of the ſame in the Supreme Court of Judicature, held at the Town of St. *Jago de la Vega*, the two next Courts after ſuch Failure and Forfeiture, and Judgement ſhall be affirmed to her Majeſty, her Heirs and Succeſſors; and the Provoſt-marſhal, or his Deputy, is hereby required and impowered to ſeize the ſame accordingly: And then, and from thenceforth, the ſaid Land or Lands, as aforeſaid, ſhall be veſted in our Sovereign Lady the Queen, her Heirs and Succeſſors; and ſhall be a perpetual Bar againſt any former Patent, Grant, or Claim whatſoever: And that then it ſhall and may be lawful for the Governor or Commander in Chief of this Iſland for the time being, by Letters-patents under the Broad Seal of this Iſland, to grant the ſaid forfeited Land or Lands to any Peſon or Perſons whatſoever; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Clauſe to enforce the Payment of Quit-rents due from Perſons who reſide not on the Iſland.

XI. And be it further enacted by the Authority aforeſaid, That all and every Owner or Proprietor of Land with this Iſland ſhall and are hereby empowered to reſign and ſurrender any whole Tract or Parcel of Land or Lands, or Grants they now hold, ſeized in Fee ſimple, in their own proper Right, into the Hands of her Majeſty, or her Heirs or Succeſſors; which Surrender ſhall be made by delivering up into the Hands of the Clerk

Clauſe to enable Perſons to ſurrender their Lands.

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Clerk of the Chancery for the time being, all ſuch Patents, Grants, and Evidences, whereby they have held the ſame, or by certifying the Records thereof: And the Clerk of the Chancery is hereby required and empowered to accept and receive the ſame; and upon Receipt thereof, to give a Certificate under his Hand unto the Perſon or Perſons ſurrendering as aforeſaid; in which ſhall be expreſſed the Date of the Grant, the Quantity of the Land or Lands, the Pariſh it lies in, and the Bounds of the ſame; which being duly acknowledged by the Clerk of the Chancery before the Governor or Commander in Chief for the time being, or before ſome one of the Judges of the Supreme Court of Judicature of this Iſland, and Record thereof made in the Secretary's Office of Enrolments, ſhall be deemed and taken as a total Reſignation and Surrender of ſuch Grant or Patent: And the Perſon or Perſons ſurrendering in Manner aforeſaid, ſhall be acquitted and diſcharged from all Quit-rents reſerved for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

which may be regranted.

XII. AND be it further enacted by the Authority aforeſaid, That after ſuch Surrender of any whole Parcel or Tract of Land or Lands, as aforeſaid, that it ſhall and may be lawful for the Governor or Commander in Chief for the time being, by Letters-patents under the Broad Seal of this Iſland, to grant the ſame to any Perſon or Perſons whatſoever: And that the Clerk of the Chancery have and receive, as a Fee for his Certificate and Acknowledgment, the Sum of Five Shillings for every Parcel of Land ſo reſigned and ſurrendered; and the Secretary the Sum of Five Shillings for the recording the ſame: Provided always, That ſuch Land or Lands ſo to be ſurrendered, are, at the Time of the Surrender and Reſignation, free and clear of and from all former and other Gifts, Grants, Mortgages, Intails, and Incumbrances whatſoever.

Perſons not paying their Quit-rents, excluded the Benefit of this Act.

XIII. AND be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, Owners or Proprietors of Land within this Iſland, that ſhall not, by themſelves, Factor, Attorney, or other Perſon, repair to the Receiver-general's Office for that Purpoſe, to be duly and conſtantly kept at the Towns of St. *Jago de la Vega* and *Kingſton*, at the uſual Office-hours, from the Time of the paſſing of this Act until the firſt Day of *May* next, in the Year of our Lord One thouſand ſeven hundred and four, and then and there duly account with the Collector or Receiver-general, or his Deputy or Deputies, and pay, or give Security to pay, at or before the ſaid firſt Day of *May*, in the Year of our Lord One thouſand ſeven hundred and four, all his, her, or their Quit-rents and Arrearages of Quit-rents, at that Time due, for all and every the Lands they hold and poſſeſs, from the ſaid Feaſt of St. *Michael* the Arch-angel, in the Year of our Lord One thouſand ſix hundred and ninety two; all and every Perſon ſo refuſing or neglecting the ſame, ſhall be wholly excluded and barred from any Benefit and Advantage by this Act: And the Collector, or Receiver-general, or his Deputy, ſhall and are hereby required to make Enquiry after all ſuch Perſons ſo refuſing or neglecting to account as aforeſaid, and inform her Majeſty's Attorney-general, that due Proceſs may be iſſued out againſt ſuch Offender or Offenders as the Law in ſuch Caſes requires, for the Recovery of all her Majeſty's Quit-rents and Arrearages of Quit-rents due from the Date of each Patent.

Penalty on Guardians not paying the Quit-rents for Infants Eſtates.

XIV. AND be it further enacted by the Authority aforeſaid, That all and every Truſtee or Guardian to any Owner or Proprietor of Land within this Iſland, being an Infant, ſhall and are hereby required, at or before the ſaid firſt Day of *May*, in the Year of our Lord One thouſand ſeven hundred and four, to repair to the Receiver-general's Office, and there account and pay the Quit-rents due for every ſuch Infant's Land under his, her, or their Charge, on the Penalty of One Hundred Pounds current Money; unleſs the ſaid Truſtee or Guardian ſhall from Time to Time make Oath (which Oath the ſaid Collector, Receiver-general, or Deputy, have Power, and are hereby required to adminiſter) that he hath not Effects in his Hands enough to pay the ſame; which ſhall be ſufficient for that Time to excuſe the ſaid Guardian or Truſtee, and hinder and ſtop any further Proceſs until the ſaid Infant or Infants come to Age themſelves.

Purchaſer of Lands to give Notice of ſuch Purchaſe to the Receiver-general.

XV. AND be it further enacted by the Authority aforeſaid, That for the more ready collecting her Majeſty's Quit-rents, from henceforth becoming due and payable; all Owners and Proprietors of Land within this Iſland that ſhall hereafter alien, ſell, or convey any Part or Parcel of Land to any Perſon whatſoever, the ſaid Buyer and Purchaſer of ſuch Land ſhall and is hereby required, within the Space of three Months after any ſuch Alienation, Sale, or Conveyance, to give an Account of the ſame to the Receiver-general, or his Deputy, in Writing, expreſſing his own Name, the Name of the Pariſh, Quantity of Land, and the Perſon of whom he purchaſed the ſame, and the Bounds thereof reſpectively; to the Intent the Receiver-general may know upon whom the Quit-rents from that Time become due and payable, under the Penalty that ſuch Purchaſer forfeit the Sum of Ten Pounds for each Neglect: And the Collector, Receiver-general, or Deputy, ſhall keep a Book for that Purpoſe, and enter the ſame accordingly; for which he ſhall receive, as a Fee, the Sum of Five Shillings, and no more.

XVI. AND

XVI. And be it further enacted by the Authority aforeſaid, That all Bills of Sale and Conveyances whatſoever, heretofore made and recorded, or ſuch as ſhall be made hereafter by any Perſons out of this Iſland, either by Huſband and Wife, or by any ſingle Perſon, who by Law may make any ſuch Sale or Conveyance, and acknowledged before the Lord Mayor of *London*, or any Lord Mayor, or Mayor of any other City within the Kingdoms of *England* and *Ireland*, or before the Governor or Governors of any of her Majeſty's Iſlands or Colonies for the time being, and duly recorded in this Iſland, ſhall be good and valid in Law againſt all Perſons whatſoever, that can or may claim any manner of Eſtate in the Lands, Tenements, or Premiſſes ſo conveyed, or to be conveyed, as fully, to all Intents and Purpoſes, as any Lands or Tenements in *England* might be paſſed by Fine and Recovery duly levied and executed in any of her Majeſty's Courts in *Weſtminſter*.

1703. Bills of Sale duly executed, to be deemed good in Law.

XVII. And be it further enacted by the Authority aforeſaid, That a Duplicate of all her Majeſty's Books of Quit-rents, Impoſt, Fines, and Forfeitures, and other Branches of her Majeſty's Revenue, ſhall be kept in the Town of St. *Jago de la Vega*, to prevent any future Accident, and for the better Security thereof; for which the Receiver-general, or his Deputy, ſhall take ſuch Fee only as is allowed him in this Act and the Act of Revenue, and no more; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Duplicates to be kept of all Books wherein her Majeſty's Quit-rents are entered.

XVIII. And be it further enacted by the Authority aforeſaid, That the Receiver-general, and his Deputy and Deputies, her Majeſty's Attorney-general, the Provoſt-marſhal-general, and his Deputy, the Clerk of the Chancery, and all other Officers, and each of them reſpectively for the time being, that ſhall neglect his or their Duty in the Execution of the Truſt and Office hereby required and repoſed in each of them reſpectively, according to the true Intent and Meaning of this Act, each Perſon ſo offending ſhall forfeit the Sum of Five hundred Pounds, current Money of this Iſland, for every ſuch Offence: All which Fines and Forfeitures in this Act mentioned, ſhall be one Half to our Sovereign Lady the Queen, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or him or them that ſhall ſue for the ſame in the Supreme Court of Judicature, where no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* ſhall be entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Officers neglecting their Duty

An Act for making the Quay whereon Fort-Charles *and* Fort-William *are erected, a Port of Entry.*

№° 115. Repealed.

An Act for the longer Continuance of an Act, intituled, An Act for the Continuance of an Act, intituled, *An Act for raiſing Money for providing an Addition to the Subſiſtence of her Majeſty's Officers and Soldiers, and for other Uſes: And alſo for continuing one other Act, intituled,* An Act for the better Recovery of the Money raiſed by an Act, intituled, *An Act for raiſing Money for providing an Addition to the Subſiſtence of her Majeſty's Officers and Soldiers, and for other Uſes.*

1704. №° 116. Expired.

An Act to give further Time to ſeveral Perſons that have not paid in their Quit-rents on the firſt Day of May, *One thouſand ſeven hundred and four.*

№° 117. Expired

An Act to prohibit the keeping of any Quantities of Gunpowder on Port Royal, *and for the better regulating and Security of the ſaid Town: And to enable the Freeholders*

№° 118.

1704. *to chooſe Church-wardens, Veſtrymen, and other Parochial Officers, although the Time for chooſing thereof be elapſed already.*

WHEREAS it has been found by fatal Experience, that permitting of Gunpowder in great Quantities upon *Port Royal*, and the covering the Houſes with Shingles brought from the Northward, was in great meaſure the Occaſion of the Deſtruction of the ſaid Place, by the late dreadful Fire: For the Prevention whereof for the future, be it enacted by your Majeſty's Lieutenant Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the firſt Day of *July*, in this preſent Year One thouſand ſeven hundred and four, no Perſon or Perſons ſhall preſume to keep any Quantity or Quantities of Gunpowder, exceeding four Pounds for each white Man in each reſpective Family, except Retailers of Gunpowder, who ſhall be permitted to keep the Quantity of one Barrel, and no more, at one Time; which ſaid Powder ſhall be kept in the uppermoſt Room in the Houſe of ſuch Retailer or Retailers; and in caſe there be no upper Room, then in ſome Loft or other Place near the Roof of ſuch Houſe, to be for that Purpoſe erected: And if any Perſon or Perſons ſhall keep in any Houſe or Houſes any greater Quantity of Gunpowder than what is preſcribed and allotted, every Perſon and Perſons ſo offending, contrary to the true Intent and Meaning hereof, ſhall for every ſuch Offence forfeit not only the ſaid Powder but the Sum of Ten Pounds; to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland; one Moiety whereof ſhall be paid to the Church-wardens for the time being of the ſaid Pariſh, for the Uſe of the Poor thereof; and the other Moiety to the Informer, or any other Perſon that will ſue for the ſame; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* entered; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Penalty on Perſons keeping a greater Quantity of Gunpowder by them than is hereby allowed.

II. AND whereas the ſhingling of Houſes with Shingles brought from the Northward is found by Experience to be very dangerous, be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever, from and after the ſaid firſt Day of *July*, ſhall cover any Houſe, Shed, Out-houſe, or any other Buildings, with any Shingles brought from the Northward, or with any other Shingles, ſave what are made in this Iſland, under the Penalty of One hundred Pounds, current Money of this Iſland, beſides the Forfeiture thereof; one Moiety whereof ſhall be paid to the Church-wardens for the time being of the ſaid Pariſh, for the Uſe of the Poor thereof, as aforeſaid; and the other Moiety to the Informer, or any other Perſons that ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

This Clauſe repealed by Act N° 125.

III. AND whereas, for the Security of the Town, the Church-wardens and Veſtry for the time being may find it neceſſary, that all Powder, Pitch, Tar, Rozin, Brimſtone, Turpentine, Cordage, and all other combuſtible Matters, together with all Lumber, and Perſons trading therein, or making uſe of Fire, ſhould be removed thereout, and kept at the *Tan-houſe*, or ſome other convenient Place adjoining thereunto: To the Intent therefore that all and every ſuch Perſon and Perſons may have a convenient Place allotted for the carrying on of their reſpective Trades and Employments, be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Juſtices and Veſtry for the Time being, to demiſe, let, and ſet to all and every Perſon and Perſons trading in all or any ſuch Commodites, all and every ſuch Quantity and Quantities of Ground at or near the *Tan-houſe*, or any other Place adjacent thereunto within the ſaid Pariſh, as the Church-wardens and Veſtry ſhall judge neceſſary and convenient, at and under ſuch yearly and other Rents, Reſervations, Limitations, Reſtrictions, and other Covenants, and for any Number of Years, not exceeding Twenty one, as the ſaid Church-wardens and Veſtry for the time being, or a Majority thereof, and ſuch Leſſee or Leſſees ſhall agree upon.

Juſtices, &c. may let Ground near the *Tan houſe*, to Perſons dealing in Gunpowder, &c.

IV. AND it is hereby enacted and declared, That all and every ſuch Leaſe or Leaſes, Demiſe and Demiſes, to be made and executed by the ſaid Juſtices and Veſtry, or the major Part of them, purſuant to the true Intent and Meaning hereof, ſhall be good and valid in Law, to all Intents and Purpoſes, to convey the Lands and Tenements to be mentioned and contained in ſuch Leaſe or Leaſes, for the Time and Term to be therein limited; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Leaſes of Ground by them let, to be valid in Law.

V. AND for the further Security and Regulation of the ſaid Town, and preventing of Fire therein, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Juſtices and Veſtry, when and as often as they meet, to make, conſtitute, and ordain ſuch Rules, Orders, and Ordinances, as they, or a Majority of them as aforeſaid, ſhall judge neceſſary and convenient; and that all and every ſuch Rules, Orders, and Ordinances, ſo to be made and ordained by the ſaid Juſtices and Veſtry, or the major Part of them, as aforeſaid, ſhall oblige and bind all and every the Inhabitants within the

Penalty on Perſons diſobeying Orders made for the Prevention of Fire

the ſaid Pariſh: And in caſe any Inhabitant or Inhabitants within the ſaid Pariſh ſhall refuſe to obey or comply with ſuch Rule, Order, or Ordinance; that then all and every Perſon or Perſons ſo offending, neglecting, diſobeying, or refuſing to comply therewith, ſhall for every ſuch Offence forfeit the Sum of Forty Shillings; to be recovered and levied by Warrant under the Hand and Seal of any Juſtice of the Peace of the ſaid Pariſh; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 1704.

VI. AND whereas the Time for chooſing Churchwardens and Veſtrymen, and other Parochial Officers, is, by the Conſtitution and a Law of this Iſland, elapſed; be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Juſtices, or any Two of them, within Ten Days after the paſſing of this Act, to iſſue out a Warrant or Warrants to the Provoſt-marſhal, or his lawful Deputy, to ſummon the Freeholders of the ſaid Pariſh, to be and appear at ſuch a certain Place, and on ſuch certain Day and Time as the ſaid Juſtices ſhall appoint, then and there to make choice of Ten Veſtrymen, Two Church-wardens, Conſtables, and other Parochial Officers, to ſerve for the remaining Part of this preſent Year One thouſand ſeven hundred and four, as effectually, to all Intents and Purpoſes, as if they had been choſen within the Time preſcribed, according to the true Intent and Meaning of an Act, intituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*; any thing herein, or in any former Law to the contrary in any wiſe notwithſtanding.

Juſtices to iſſue a Warrant for the chooſing of Pariſh Officers.

An Act for the better Recovery of publick Debts.

№° 119. Expired.

An Act for raiſing Money for a further Subſiſtence of her Majeſty's Officers and Soldiers in this Iſland under Pay, and for other Uſes.

№° 120. Expired.

An Act for continuing an Act, intituled, An Act for raiſing Money for a further Subſiſtence of her Majeſty's Officers and Soldiers in this Iſland under Pay, and for other Uſes.

1705. №° 121. Expired.

An Act for appropriating Money for ſupporting of Parties to ſuppreſs rebellious and runaway Slaves, and for other Uſes.

№° 122. Expired.

An Act for making a new Road from St. Thomas in the Eaſt *to St.* Andrew's.

№° 123.

WHEREAS the high Road from St. *Thomas*'s and St. *David*'s lieth ſo near the Sea-ſide, that by the landing of an Enemy the neceſſary Communication between the Pariſhes of St. *Andrew*, St. *Thomas*, and St. *David* may be obſtructed; and that it is therefore neceſſary that a new Road ſhould be made higher up in the Country; be it therefore enacted by her Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful to and for the Juſtices of the Pariſh of St. *Thomas* to iſſue out their Warrant to ſummon a Jury to view and lay out a Path from *Rusk Savanna*, on the North Side of the Plantations of Lieutenant Colonel *William Harris*, over the Hills, to the Plantation of Capt. *John Coſley*, until they meet with the high Road that leads to *Yellow Bay*; and that they clear and maintain the ſame at their own Coſt and Charge: And that the Juſtices of the Pariſh of St. *David* do ſummon a Jury to lay out a Path through the Land late of Col. *William Reives* and *Oathil Plantation*, and from thence to Capt. *Coſley*'s Penn, called *Cambridge*, and from thence over the Hills to *Bull*'s *Bay River*: And that the Juſtices of *Port Royal* and St. *Andrew*'s, or ſome of them, do join, and by Warrant ſummon a Jury to lay out a Path through the Pariſh Land of *Port Royal* and St. *Andrew*'s, the beſt and moſt convenient Way to the Plantation of *Elizabeth Humphries*, Widow, beginning at *Bull*'s *Bay River*, where the Path from

Through what Parts a Way is to be cut to make a Road from St. *Thomas*'s Pariſh to St. *Andrew*'s.

1705.

from the Pariſh of St. *David* ends: And that the Plantations in the Pariſh of *Port Royal* do join their Hands with the Inhabitants of St. *Andrew*'s, for the making and clearing of ſuch Roads.

Surveyors of each Pariſh to attend the Jury that lay out the Roads.

II. AND it is further enacted by the Authority aforeſaid, that the Surveyor of each and every Pariſh above mentioned ſhall go with the Jury when they lay out the Roads; and when they are laid out, that the ſeveral Surveyors proceed forthwith to do their Duties, to open and clear the ſeveral Roads in this Act mentioned; and that it be done in the ſame Manner as by an Act of this Iſland, intituled, *An Act for the Highways.*

Penalty on Joſtices and Surveyors neglecting their Duty.

III. AND it is hereby enacted by the Authority aforeſaid, That if the Juſtices and Surveyors of each and every Pariſh in this Act mentioned ſhall neglect their ſeveral Duties, they ſhall reſpectively forfeit the Sum of Fifty Pounds, current Money, where any ſuch Neglect ſhall appear; one Half of all ſuch Fines and Forfeitures ſhall be to him or them that ſhall ſue for the ſame; and the other Moiety for the Uſe of the new Roads in ſuch Pariſhes where the neglect ſhall happen: And that the Juſtices of the above named Pariſhes ſhall proceed to the laying out ſuch Roads in their ſeveral Pariſhes at or upon the Firſt of *November*, in the Year of our Lord One thouſand ſeven hundred and five: That all Fines under Forty Shillings ſhall be recovered before any Juſtices of the Peace; and if above Forty Shillings, in any Court of Record within this Iſland, where no Eſſoin, Protection, Wager of Law, or *Non vult ulterius proſequi* ſhall be entered; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

№ 124. *An Act for the making and keeping clear a publick Road from* Clarendon *to St.* Elizabeth's, *over* One-Eye Savanna.

WHEREAS the preſent Highway from St. *Jago de la Vega* into the Pariſhes of St. *Elizabeth* and *Weſtmorland*, in that Part from *Swift River* over *Long Bay* and the *Devil*'s *Race*, is very inconvenient and dangerous, by reaſon of the Quick-ſands along the Sea-ſhore, and the Narrowneſs and Difficulty of the Paſs over the *Devil*'s *Race*: And whereas by ſeveral credible Perſons that have travelled in the Woods and Mountains between *Porus Savanna* in the Pariſh of *Clarendon*, and *Foſter*'s Plantation in the Pariſh of St. *Elizabeth*, it hath been found, that a more commodious and ſhorter Way may be cut through the Woods from *Porus Savanna* aforeſaid, by the *Ciſterus* to *Martin*'s, and by *One-Eye* Mountain to *Foſter*'s Plantation, in the Pariſh of St. *Elizabeth* aforeſaid: And it being requiſite, as well for her Majeſty's Service in conducting ſpeedy Succours to each Place, as for the neceſſary Uſe of her Majeſty's liege People, that a publick Road be laid out from the ſaid Pariſhes of St. *Elizabeth* and *Weſtmorland* into the Pariſh of *Clarendon* aforeſaid; be it therefore enacted by her Majeſty's Governor, Council, and Aſſembly, and it is hereby

A new Way to be laid out from *Clarendon* to St. *Elizabeth*'s.

enacted and ordained by the Authority of the ſame, That a new Highway or Path ſhall be, with all convenient Speed, run out and made, leading from the Croſs to *Burnt Savanna*, and through St. *Jago Savanna* by Mr. *John Sutton*'s Penn, and ſo over St. *Jago Savanna* to *Porus Savanna*, in the Pariſh of *Clarendon*, according to the moſt direct and convenient Courſe it can be laid out; and from *Porus Savanna* aforeſaid by *Martin*'s, and from *Martin*'s to the *Ciſterus*, and from the *Ciſterus* by *One-Eye* Mountain aforeſaid, and from thence the moſt direct and beſt Way leading to *Foſter*'s Plantation in St. *Elizabeth*'s aforeſaid.

The Commiſſioners in this Act named, to adminiſter an Oath to the Surveyors of the Highways, &c.

II. AND be it further enacted by the Authority aforeſaid, That the Commiſſioners for the reſpective Pariſhes, in this Act to be hereafter nominated and appointed, ſhall and may, and they are hereby impowered and required to adminiſter an Oath to the Surveyor of the Highways or Way-wardens of each reſpective Pariſh, forthwith upon the Return of the Surveyors, who are to run and lay out the ſaid Road or Highway, to the Commiſſioners in this Act to be hereafter named; which ſaid Surveyors are to be appointed by the ſaid Commiſſioners: And after ſuch Return to be made and delivered by the ſaid Surveyors to the ſaid Commiſſioners, the ſaid Commiſſioners are to deliver the ſame to the ſaid Way-wardens or Surveyors of the Highways, who ſhall thereupon forthwith proceed to the Execution and Diſcharge of the ſeveral reſpective Duties, as is required in and by an Act, intituled, *An Act for the Highways*, as in all other Caſes of Publick Roads and Highways, which ſaid Highway ſhall be cut ſixty Foot broad, according to an Act of this Iſland, intituled, *An Act for the Highways*, and well cleared by the Way-wardens of the Pariſh of *Clarendon* aforeſaid, by the Labour of the Negroes belonging to the ſaid Pariſh, by them to be warned for that Purpoſe, ſo far Weſtwardly as the Bounds of the ſaid Pariſh ſhall be found to extend; and the remaining Part of the Way to *Foſter*'s Plantation, as aforeſaid, ſhall be cut and cleared in like Manner by the Way-wardens of St. *Elizabeth*'s: And the ſaid Highway being ſo cut and cleared, ſhall for ever hereafter be deemed and taken as a publick Road; and ſhall, as often as Occaſion requires, be maintained, repaired, and cleared, and kept in good Order by the Way-wardens of the ſaid Pariſh of *Clarendon*, from

from the Croſs aforeſaid to the Weſtward Bounds of the ſaid Pariſh of *Clarendon*, and by the Way-wardens of the Pariſh of St. *Elizabeth*, from thence to *Forſter*'s Plantation aforeſaid, and thence by or through *Dickenſon*'s Plantation to the next Highway, leading to the Pariſh of *Weſtmoreland*, through the Pariſh of St. *Elizabeth* aforeſaid. 1705.

III. AND to prevent all Diſputes which may ariſe about the Bounds of the ſaid Pariſhes of St. *Elizabeth* and *Clarendon*, or otherwiſe however touching the Execution and Performance of this Law, be it further enacted and ordained by the Authority aforeſaid, That *Jonathan Gale*, *John Cambel* Eſq; *Jonathan Dickenſon*, *John Forſter*, and *John Hodges*, Gentlemen, of the ſaid Pariſh of St. *Elizabeth*; *Peter Beckford*, *Edward Pennant*, *Edward Fearon*, *Thomas Roden*, *and Thomas Cargil*, Eſqs. of the Pariſh of *Clarendon*, be and are hereby appointed Commiſſioners to inſpect and take Care of the due Execution of this Act; which ſaid Commiſſioners, or any Three of them, ſhall and are hereby required to meet at the Croſs in *Clarendon* the firſt *Thurſday* in *November* next, in the Year of our Lord One thouſand ſeven hundred and five, and there to chooſe and appoint One lawful and ſworn Surveyor for the Pariſh of St. *Elizabeth*, and another for the Pariſh of *Clarendon*, who ſhall immediately proceed to the running out of ſuch a Path as by this Act is appointed to be made a Highway, with the moſt Conveniency to the Publick, and the leaſt Prejudice or Damage to any particular Perſon, from the Croſs, as aforeſaid, to *Burnt Savanna*, and through St. *Jago Savanna* by the ſaid *John Sutton*'s Pen, as aforeſaid, to *Porus Savanna* in *Clarendon* Pariſh, to *Forſter*'s Plantation in St. *Elizabeth*'s aforeſaid; and ſhall run out, fix, and aſcertain the Bounds of the ſaid two Pariſhes of St. *Elizabeth* and *Clarendon*, according as the ſame is appointed by a former Act of this Country for the Diviſion of the ſaid two Pariſhes; and the ſame ſo aſcertained ſhall mark out with Stakes or other notable Marks exactly in the Line, to the end a Poſt of good and durable Timber may be fixed, and for ever kept and maintained therein, when the ſaid Highway comes to be cleared; on which ſaid Poſt, ſo to be fixed, ſhall be cut or carved in good legible Characters, on the Weſterly Side thereof, St. *Elizabeth*; and on the Eaſterly Side thereof, *Clarendon*; and the ſame ſhall be always known, reputed, and taken as the Boundary of the ſaid two Pariſhes, and to which theſe ſaid two Pariſhes reſpectively are hereby obliged to clear, and for ever maintain: And in caſe any Surveyor or Surveyors, ſo to be choſen reſpectively, ſhall neglect or refuſe immediately to proceed to the running out the intended Path and Line, as aforeſaid, that then, and in ſuch Caſe, they ſhall reſpectively forfeit the Sum of Fifty Pounds.

Commiſſioners appointed for both Pariſhes, to take Care of the due Execution of this Act.

IV. AND it ſhall and may be lawful for the ſaid Commiſſioners, or any Three of them, to appoint Two ſuch other lawful ſworn Surveyors, as they ſhall think fit, who are hereby impowered to act and do in the Premiſſes as by this Act is required and intended, inſtead of the other Surveyors intended to be choſen reſpectively by the Commiſſioners for the ſaid two reſpective Pariſhes of *Clarendon* and St. *Elizabeth* aforeſaid, under the like Penalty of Fifty Pounds; and the ſaid Surveyors, ſo to be choſen and appointed, ſhall, as ſoon as they have run out the ſaid Path and Line, make Return of their Doings therein to the ſaid Commiſſioners, or any Three of them, who ſhall cauſe the ſame to be recorded by the Clerk of the Peace of each of the ſaid Precincts of *Clarendon* and St. *Elizabeth*; and that the ſaid Surveyors ſhall be paid by the Church-wardens of each Pariſh, for the Work by them done on Account of each Pariſh, as ſhall be adjudged by the Commiſſioners aforeſaid, or the Majority of them, to be paid out of the Pariſh Stock reſpectively.

Commiſſioners to appoint two ſworn Surveyors.

V. AND it is hereby further enacted by the Authority aforeſaid, That the ſaid Commiſſioners having received the Return of the Surveyors, as aforeſaid, ſhall cauſe two Copies of the ſame to be fairly drawn out, one whereof they ſhall forthwith ſend to the Way-wardens of the Pariſh of *Clarendon*, and the other to the Way-wardens of St. *Elizabeth*'s, with their ſtrict Orders to each and every of them in Writing, that they reſpectively, as before in this Act is appointed, immediately proceed to the cutting down and clearing the ſaid Highway, ſo as the ſame may be compleated and finiſhed within Eighteen Months after the paſſing the ſaid Act: And for the better doing and effecting thereof, the ſaid Way-wardens of the ſaid ſeveral Pariſhes, and every of them reſpectively, are hereby authorized to iſſue out their Warrants to the Conſtables and Tythingmen, to warn the Inhabitants of the ſaid Pariſhes to furniſh ſuch Numbers of able Negroes or Slaves, together with ſuch a Number of white Men-drivers to overſee them, as ſhall be appointed by the Juſtices and Veſtry of each reſpective Pariſh, together with ſuch Tools, Proviſions, and other Neceſſaries, as ſhall be thought by them neceſſary for carrying on the ſaid Work, and finiſhing the ſame within the Time hereby limited and appointed, as aforeſaid: And whoſoever ſhall fail to ſend in his or her Proportion of Workers, with ſuch Tools as ſhall be convenient, ſhall for every Head pay Three Shillings *per* Day upon Conviction thereof; to be recovered before any Juſtices of the Peace by the Surveyors reſpectively; any thing in this, or any other Act to the contrary thereof notwithſtanding.

Copies of the Surveyors Return to be ſent to the Way-wardens of the two Pariſhes, &c.

VI. AND if the ſaid Way-wardens, or any of them, ſhall refuſe to do, or neglect his or their Duty in cutting or clearing the ſaid Highway to the Extent of their reſpective Bounds, as hereby is appointed, he or they ſo offending, ſhall reſpectively forfeit the Sum of

1705.

of Fifty Pounds, current Money of this Iſland: And in caſe the ſaid intended Highway ſhall be neglected, and not maintained in good Repair by ſucceeding Way-wardens, he or they that ſhall ſo offend therein, ſhall reſpectively lie under the Pains and Penalties provided in an Act of this Iſland, intituled, *An Act for the Highways:* And if any Commiſſioner, Juſtice, or Surveyor, by this Act appointed, ſhall neglect his or their Duty, touching the Premiſſes, or any Part thereof, he or they ſhall reſpectively forfeit the Sum of Fifty Pounds: And if any Veſtryman, Conſtable, or Tythingman ſhall neglect his or their Duty, they ſhall reſpectively forfeit Twenty Pounds; all which ſaid Forfeitures ſhall be one Half to the Informer, or to him or them that ſhall ſue for the ſame; the other Half to the Church-wardens of each of the reſpective Pariſhes, to the Uſe of the ſaid Highways: And all other Forfeitures, not exceeding Forty Shillings, ſhall be recovered by the Church-wardens of the ſaid Pariſhes reſpectively, by Action of Debt before any Juſtice of the Peace; and if above Forty Shillings, in any Court of Record of this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Way-wardens, &c. neglecting their Duty, forfeit 50*l.*

№ 125. *An Act for eſtabling Courts at* Kingſton, *and exempting Packet-boats from the Duty of Gunpowder.*

WHEREAS many Gentlemen, Merchants, and others, have lately ſettled, and do now reſide and trade at *Kingſton*; and whereas the ſettling of Quarter-ſeſſions and Courts of Common-pleas may conduce very much to the Uſe and Advantage of the Inhabitants, and to the Encouragement of Trade there; be it therefore enacted and ordained by her Majeſty's Governor, the Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That for the Eaſe of the Merchants and trading People of the ſaid Town of *Kingſton*, there be erected, eſtabliſhed, and held in the ſaid Town a Quarter-ſeſſions for the Conſervation of the Peace, and a Court of Common Pleas, with the ſame Power and Authority, to all Intents and Purpoſes, that is or hath been held or exerciſed at *Port Royal*; which ſaid Court ſhall be held the firſt time the firſt *Wedneſday* in *September*, in this preſent Year One thouſand ſeven hundred and five, and afterwards every two Months; and the Seſſions every three Months, the firſt Seſſions on the firſt *Tueſday* in *Auguſt*, and ſo every three Months.

A Court of Common-pleas, &c. at *Kingſton*.

II. AND whereas a certain enacting Clauſe for the preventing of the Uſe of Shingles brought from the Northward, which ſaid Clauſe is contained in an Act, intituled, *An Act to prohibit the keeping of any Quantity of Gunpowder on* Port Royal; *and for the better Security of the ſaid Town: And to enable Freeholders to chooſe Church-wardens, Veſtrymen, and other Parochial Officers, although the Time for chooſing thereof be elapſed already*, hath been found inconvenient to the Inhabitants of *Port Royal* aforeſaid; be it therefore enacted by the Authority aforeſaid, That the ſaid Clauſe, and all and every the Matters and Things therein contained, ſhall be and are hereby repealed, annulled, and made void, to all Intents, Conſtructions, and Purpoſes; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Clauſe in a former Act repealed.

III. AND whereas her Majeſty hath been graciouſly pleaſed to appoint Packet-boats to ſail frequently from her Majeſty's Kingdom of *England* to her Majeſty's Plantations and Colonies in the *Weſt Indies*, whereby a conſtant Correſpondence is held, to the great Advantage of this Iſland: And whereas ſuch Packet-boats, as well as all other Veſſels, are obliged to pay a Duty of Gunpowder to the Receiver-general, which is a heavy Impoſition on ſuch Packet-boats; be it therefore enacted by the Authority aforeſaid, That the Packet-boats at preſent here, and all ſuch other Packet-boats as ſhall hereafter arrive, ſhall be and are hereby exempted from the Payment of all ſuch Duty of Gunpowder; any Law, Cuſtom, or Uſage to the contrary notwithſtanding,

Packet-boats exempted from the Duty of Gunpowder.

№ 126. *An Act to enable* Cary Bodle, *and others, to ſell Lands for the Payment of Debts and Legacies, for the Improvement of the Eſtate of the ſaid* Cary Bodle.

Private and repealed.

№ 127. *An Act for raiſing an additional Duty and Impoſt, and appropriating Money for ſeveral Uſes.*

Expired.

№ 128. *An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, and for other Uſes.*

Repealed.

An

An Act for the Encouragement of good and able Miniſters to come to this Iſland.

1706-7. N° 129.

WHEREAS there is an Act of this Iſland, intituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*, in which there is not a ſufficient Proviſion made to encourage learned and pious Men to come and to reſide in the ſeveral Pariſhes of this Iſland: For the better Encouragement therefore of good and orthodox Divines, duly qualified as the Law directs, that now reſide in, or hereafter ſhall come to this Iſland, for the Promotion of Piety, Religion, and Virtue; be it enacted by the Governor, Council, and Aſſembly of this Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the Miniſters of each reſpective Pariſh hereafter mentioned ſhall receive of the Church-warden or Church-wardens of each reſpective Pariſh ſuch Sums of Money as is hereafter directed, every ſix Months, by equal Portions; to be raiſed and collected as in and by the ſaid Act, intituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*, is directed, *viz.*

The Sum of Money to be paid by every Pariſh to their Miniſter.

II. To the Miniſter of the Pariſh of St *Catharine* ſhall be allowed, raiſed, collected, and paid, the Sum of One hundred and fifty Pounds *per Annum*, current Money of this Iſland: Provided nevertheleſs, if the Juſtice and Veſtry ſhall think fit, for the Encouragement of an able Divine, it ſhall and may be lawful for them to add One hundred Pounds more to his Salary, ſo that the whole Sum exceeds not Two hundred and fifty Pounds *per Annum*.

St *Catharine*'s 150 *l.* *per Annum*.

Proviſo.

III. And to the Miniſters of the Pariſhes of St. *Thomas in the Vale*, St. *Dorothy*, *Kingſton*, *Vere*, and *Clarendon*, ſhall be allowed each One hundred and fifty Pounds *per Annum*: Provided nevertheleſs, if the Juſtices and Veſtry ſhall think fit, it ſhall and may be lawful for them to add Fifty Pounds more to each of their Salaries, ſo that the whole exceed not Two hundred Pounds *per Annum*.

St. *Dorothy*'s &c. 100 *l.*

Proviſo.

IV. And to the Miniſters of the Pariſhes of St. *Andrew*, St. *John*, St. *Thomas to Windward*, St. *David*, St. *George*, St. *Mary*, St. *Anne*, St. *James*, St. *Elizabeth*, and *Weſtmoreland*, ſhall be allowed each One hundred Pounds *per Annum*: Provided nevertheleſs, if the Juſtices and Veſtry ſhall thing fit, it ſhall and may be lawful for them to add Fifty Pounds *per Annum* more to each of their Salaries, ſo that the whole exceed not One hundred and fifty Pounds *per Annum*.

St. *Andrew*'s &c. 100 *l.*

Proviſo.

V. And whereas the Inhabitants of ſeveral Pariſhes of this Iſland, by certain Inſtruments in Writing under their Hands and Seals, did oblige themſelves to pay to the Miniſters of their Pariſh certain Sums of Money, as an Addition to their Salary, more than in and by the ſaid Act, intituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*, is allowed and directed: Be it therefore enacted and ordained by the Authority aforeſaid, That all ſuch Perſons who have obliged themſelves to the Payment of any Sums of Money to the Miniſter of any Pariſh for officiating as Miniſter, otherwiſe than is agreeable to this Act, are hereby freed and aquitted from any ſuch Obligation; and that no other Salary ſhall, on any Pretence whatſoever, be raiſed, aſſeſſed, collected, and paid by any Pariſh in this Iſland by the Juſtices and Veſtrymen, or the Juſtices where no Veſtry is, upon the Inhabitants of the ſame, than what is in and by this Act before preſcribed and allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Agreements formerly made which are not agreeable to this Act, declared void.

VI. And be it further enacted by the Authority aforeſaid, That when any Miniſter ſhall for the future happen to be preſented to any Pariſh within this Iſland, after the Aſſeſſments for that Year ſhall be laid, that it ſhall and may be lawful for the Juſtices and Veſtry of ſuch Pariſh, and the Juſtices and Veſtry of ſuch Pariſh are hereby required and enjoined, within Twenty Days after due Notice of ſuch Preſentation, to meet at the Pariſh Church, and lay ſuch further Aſſeſſment for the Payment of ſuch Salary as this Act requires.

Clauſe for proviſion of ſuch Miniſters, who are preſented after the Aſſeſſments are laid.

VII. And whereas the Pariſh of *Port Royal* has ſuffered very much by the dreadful Earthquake; and ſince by fire being reduced to a far lower Eſtate than when the ſaid before mentioned Act was made, that the Inhabitants are not capable to raiſe the Salary as in the ſaid Act it directed; be it therefore enacted by the Authority aforeſaid, That the Juſtices and Veſtry ſhall lay a Tax of One hundred Pounds *per Annum* (provided, that the Juſtices and Veſtry have Power to raiſe the Sum of Fifty Pounds more if they think fit) for the Maintenance of their Miniſter who ſhall officiate there: And it ſhall and may be lawful for the ſaid Juſtices and Veſtry, and they are hereby required to raiſe a further Sum of One hundred Pounds *per Annum*, to be paid by the Church-wardens of the ſame, in equal

Pariſh of *Port Royal* ſhall lay a Tax of 100 *l.* *per Annum* for the Maintenance of their Miniſter, &c.

1706-7. equal Proportions, to *Philip Bennet*, as Rector of the ſaid Pariſh, during his Life and Reſidence in this Iſland, notwithſtanding his Diſability, by Age and Sickneſs, to officiate there.

No Miniſter to demand Money of any Pariſh, but for the Time he Officiates there.

VIII. AND be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, though duly qualified, and obtaining the ordinary Preſentation for any Pariſh within this Iſland, ſhall aſk, demand, or take any Sum or Sums of Money for any further or longer Time than he ſhall actually officiate as Miniſter of the ſaid Pariſh (Sickneſs only excepted) any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

№° 130. Expired. *An Act for making Proviſions for the Maintenance of Priſoners at War for One Year.*

№° 131. Expired. *An Act to enable the Treaſury to pay ſeveral Sums of Money diſburſed upon extraordinary Occaſions.*

№° 132. Expired. *An Act for raiſing an additional Duty and Impoſt ; and appropriating Money for ſeveral Uſes.*

№° 133. Obſolete. *An Act for the further Encouragement of Parties : and more ſpeedy Reduction of rebellious and runaway Slaves.*

№° 134. Obſolete. *An Act for the ſpeedy collecting of out-ſtanding Debts.*

№° 135. Expired. *An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the firſt of* February, 1706, *to the Firſt of* February, 1707.

1707-8. №° 136. Expired. *An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the firſt of* February, 1707, *to the firſt of* February, 1708.

№° 137. Expired. *An Act for raiſing an additional Duty and Impoſt ; and appropriating Money for ſeveral Uſes, for the Year* 1708.

№° 138. Expired. *An Act for making Proviſion for the Maintenance of Priſoners of War for the Year* 1708.

№° 139. Expired. *An Act for making good deficient Funds ; and appropriating ſeveral Sums of Money.*

№° 140. Private. *An Act for confirming the Sale made by* Jane Booth *to* Joſeph Dunſton.

№° 141 Private. *An Act to prevent Slaves being Evidence againſt* Manuel Bartholomew, *a free Negro.*

№° 142. Private. *An Act to prevent Slaves being Evidence againſt* John Williams *a free Negro.*

An

1709.

An Act for regulating Fees.

№° 143. Repealed by the Act of 1711, except one Clauſe. *See Abridgm. Tit.* Fees.

An Act for the further quieting Poſſeſſions, and preventing vexatious Suits at Law.

№° 144. Repealed.

An Act for continuing an Act, intituled, An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the Firſt of *February*, 1707, to the Firſt of *February*, 1708.

№° 145. Expired.

An Act for continuing an Act, intituled, An Act for raiſing an additional Duty and Impoſt; and appropriating Money for ſeveral Uſes, for the Year 1708.

№° 146. Expired.

An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the Firſt of May, 1709, *to the Firſt of* May, 1710.

№° 147. Expired.

An Act for raiſing an additional Duty and Impoſt; and appropriating Money for ſeveral Uſes, for the Year 1709.

№° 148. Expired.

An Act for the further and better ſecuring Port Royal.

№° 149.

WHEREAS the Quays and Shoals at *Port Royal* are, by Experience, found to be a very great Safeguard to the Town and Fortifications there erected; with Quays and Shoals are daily leſſened, by ſeveral Perſons carrying away the Stones and Sand from thence, the Continuance of which may in the End prove very fatal and deſtructive to the Place: Be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That no Stones, Shells, Gravel, or Sand ſhall be taken up and carried away by any Perſon or Perſons whatſoever, their Slaves or Servants, from any Quays or Shoals from between *One Buſh Quay* to the *Eaſtermoſt Quay* ſo called, or within the Space or Compaſs of three Miles without or within the ſaid Quays or either of them, under the Penalty of the Forfeiture of ſuch Boat or Canoe in which ſuch Stones, Shells, Gravel, or Sand ſhall be ſo carried off; to be recovered againſt the Party or Parties ſo offending contrary to the true Intent and Meaning of this Act, their Maſters or Employers, by Warrant, upon Conviction before any Juſtice of the Peace of the Precincts; which Boat or Canoe ſo forfeited, ſhall be adjudged to belong to the Party or Parties that ſhall inform or proſecute for the ſame within twenty Days after the Fact committed; any Law, Statute, or Uſage to the contray in any wiſe notwithſtanding.

No Stones, &c. to be dug out of *Port Royal* Quays.

II. PROVIDED nevertheleſs, That nothing in this Act contained ſhall be conſtrued to extend to hinder any Perſon from taking up Stones to the Weſtward or North-weſtward of the Leewardmoſt Channel; any thing herein contained to the contrary notwithſtanding.

Proviſo.

III. AND whereas the preſerving the Harbour of *Port Royal* is of the greateſt Conſequence to the Trade of this Iſland; be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall, from and after the paſſing this Act, either voluntarily or through Neglect, cauſe or ſuffer any Ship or Veſſel to ſink or be ſunk in any other Part or Place within the ſaid Harbour, except between the *Round Tower* and the *Paliſadoes*, under the Penalty of One hundred Pounds of current Money of this Iſland: One Moiety, or Half-part, ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other

Nor Ship, &c. be ſuffered to be ſunk there.

1709. Moiety to him, her, or them that ſhall ſue for the ſame in the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or more than one Imparlance granted, or *Non vult ulterius proſequi* ſhall be entered; any Law, Statute, or Uſage to the contrary notwithſtanding.

№ 150. Expired. *An Act for the maintaining Priſoners of War for the Year* 1709.

№ 151. *An Act appointing Way-wardens, regulating Wharfage, and buoying out the Channel between* Port Royal *and* Kingſton.

WHEREAS the Inhabitants of the Town and Pariſh of *Kingſton* are not qualified to elect Surveyors of the Highways, according to an Act, intituled, *An Act for the Highways*, made in the thirty ſecond Year of the Reign of his late Majeſty King *Charles* the Second; whereby the ſaid Town cannot be kept ſo clean and healthful as it ought to be: Be it therefore enacted and ordained by her Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful to and for the Juſtices and Freeholders of *Kingſton* aforeſaid, who are hereby required and obliged, every Year when they ſhall firſt meet to lay their Pariſh-tax, to elect and chooſe two or more Inhabitants of *Kingſton* aforeſaid to be Way-wardens in the ſaid Town, although not qualified according to the Directions of the ſaid Act; who are hereby ordered and empowered to ſummon and warn the Pariſhioners and Inhabitants of the ſaid Pariſh to ſend Negroes and other fit Perſons with Pick-axes, Spades, and other things neceſſary, at ſuch Time and Times as they ſhall think convenient, for the cleanſing, repairing, and amending of the Roads, Streets, Lanes, Alleys, and publick Places of the ſaid Town, and for the carrying away of the Dirt, Filth, and other Annoyances therein, to ſuch Place or Places as to the ſaid Way-wardens ſhall ſeem meet and convenient, for the Health of the Inhabitants, and keeping clean the ſaid Place; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Juſtices, &c. of *Kingſton* may chooſe two Way-wardens for cleanſing their Streets, &c.

II. AND if any Way-warden neglects his Duty, touching the Premiſſes, or any Part thereof, he ſhall forfeit the Sum of Ten Pounds for every ſuch Offence: And every Freeholder, Pariſhioner, or Inhabitant, that being duly warned, ſhall neglect his or their Duty in ſending ſuch Negroes and others, according as they ſhall be appointed by the ſaid Way-wardens, ſhall forfeit Forty Shillings for each Offence; to be recovered in ſuch Manner as other ſmall Debts not exceeding Forty Shillings are recoverable within this Iſland.

Penalty on Way-wardens, &c. neglecting their Duty.

III. AND be it further enacted by the Authority aforeſaid, That all Perſons keeping publick Wharfs or Bridges at *Kingſton* aforeſaid, ſhall be obliged to keep a Book, wherein he, ſhe, or they ſhall fairly enter the Marks and Numbers of all ſuch Goods as ſhall be landed on his, her, or their Wharf or Wharfs, Bridge or Bridges; and alſo the Name or Names of the Veſſel or Veſſels out of which the ſaid Goods ſhall be taken; and alſo to take a Receipt of the Perſon or Perſons to whom the ſaid Goods ſhall be delivered.

Owner of Wharfs to enter all Goods landed there, &c. in a Book,

IV. AND if any Owner or Owners of the ſaid Wharf or Wharfs, Bridge or Bridges have or ſhall receive Payment for any Goods landed on their ſaid Wharf or Wharfs, Bridge or Bridges, or any Veſſel lying and delivering or loading thereat; the ſaid Wharf or Wharfs, Bridge or Bridges, ſhall be deemed and held to be as a publick Wharf or Bridge: And if any Warfinger ſhall neglect to keep ſuch a Book, and to make ſuch Entries as aforeſaid, ſuch Wharfinger ſo neglecting his or their Duty therein, ſhall forfeit for every ſuch Offence the Sum of Ten Pounds; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

and if they receive Money for Goods ſo landed, the Wharf to be deemed common.

V. AND be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Owner or Owners of any Wharf or Wharfs, Bridge or Bridges, as aforeſaid, from and after the firſt Day of *May*, in this preſent Year of our Lord One thouſand ſeven hundred and nine, to demand and receive of all and every Perſon or Perſons whatſoever, landing any Goods on his, her, or their Wharf or Wharfs, Bridge or Bridges, the Rates hereafter mentioned, and no other, on Penalty of Forty Shillings for each Offence, *viz.*

The prices to be paid for Goods landed there.

VI. FOR each Hogſhead of Sugar, or other Goods of the Product of this Iſland, the Sum of One Shilling and Six Pence, for landing, wharfage, covering, weighing, and ſhipping off.

VII. AND for Indico, Cotton, Piemento, and Ginger, in Bag or ſmall Cask, Three Halfpence *per* Hundred, for landing, wharfage, and weighing; and the like Sum of Three Halfpence *per* Hundred for ſhipping off again.

VIII. AND for wharfage and weighing off each Ton of Logwood, and all other Woods for the Dyers Uſe, the Sum of Fifteen Pence; and the like Sum of Fifteen Pence for every Ton, for weighing and ſhipping off the ſame.

IX. AND

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IX. And for each Ton of *European* Goods landed, or Goods from *North America*, or the *Weſtern Iſlands*, Two Shillings and ſix Pence *per* Ton, *Jamaica* Tonnage; and the like Sum of Two Shillings and ſix Pence *per* Ton for ſhipping off the ſame again.

X. And for Cocoa, Sarſaparilla, and Jeſuits Bark, the Sum of Three Halfpence *per* Hundred.

XI. And for Salt, a Halfpenny *per* Buſhel.

Wharfinger to provide Sheds to defend Goods from the Weather.

XII. And each Wharfinger is hereby obliged to keep a Crane, Sheds, and Tarpaulins, for ſecuring of Goods landed upon their Wharf or Wharfs, Bridge or Bridges, from the Weather, on Penalty of forfeiting the Sum of Forty Shillings for every Default, and be further liable to an Action at Law for whatever Damages ſhall be done to any Goods on their ſaid Wharf or Wharfs, Bridge or Bridges, and alſo for whatever Goods ſhall be loſt or ſtolen therefrom; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

No Wrecks to be ſunk, or Ballaſt thrown into the Harbour.

XIII. And whereas the ſinking of Wrecks is very pernicious to the Road of *Kingſton*; be it therefore enacted by the Authority aforeſaid, That no Wreck or Wrecks, from and after the Firſt Day of *May*, in the Year of our Lord One thouſand ſeven hundred and nine, be ſunk, or Ballaſt thrown into the ſaid Road to the Eaſtward of the Weſt End of the Town of *Kingſton*, nor to the Weſtward of the Eaſt Part of the Town of *Kingſton*, other than what is already ſunk or thrown into the ſaid Road, under the Penalty of forfeiting the Sum of One hundred Pounds for every ſuch Offence, and be further liable to remove the ſame: Provided, That it ſhall and may be lawful to and for the Juſtices in Seſſions to give Leave to any Perſon or Perſons to ſink any Wreck or Wrecks in any Part of the ſaid Road that may be by them thought moſt convenient, for the careening of Ships and Veſſels, and not otherwiſe; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Proviſo.

Penalty on throwing Squibs, *&c.* in the Town of *Kingſton*.

XIV. And whereas the throwing of Squibs, Serpents, Rockets, or other Fire-works, may happen to be very prejudicial to the Inhabitants of the ſaid Pariſh, and ſeveral Merchants and others intruſting their Goods and Effects there: For the Prevention of which, be it therefore further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, from and after the Firſt Day of *May*, in the ſaid Year of our Lord One thouſand ſeven hundred and nine, by themſelves or white Servants, throw any Squibs, Serpents, Rockets, or any other Fire-works, in any Street, Lane, or Alley, within the Town of *Kingſton*; every ſuch Perſon ſo offending ſhall forfeit the Sum of Forty Shillings for every ſuch Squib, Serpent, Rocket, or other Fire-work ſo thrown; to be recovered before any Juſtice of the Peace of the ſaid Pariſh, in ſuch Manner as other ſmall Debts are recoverable (not exceeding Forty Shillings) within this Iſland; one Half of which Forfeiture ſhall be to the Uſe of the Informer, and the other to the Church-wardens for the time being, to and for the Uſe of the Poor of the ſaid Pariſh, or whatever other charitable Uſe the Juſtices and Veſtry of the ſaid Pariſh ſhall think fit.

Negroes Puniſhment for throwing Squibs, *&c.*

XV. And whatever Mulatto, *Indian*, or Negro, being Slaves, ſhall preſume to throw or make uſe of any Squib, Serpent, Rocket, or other Fire-work within the ſaid Town, as aforeſaid; it ſhall and may be lawful for any Conſtable of the ſaid Pariſh immediately to ſeize and take up ſuch Mulatto, *Indian*, or Negro ſo offending, and him or them to carry to the publick Whipping-place of the ſaid Town, and there to order ſuch Mulatto, *Indian*, or Negro to receive on his bare Back Thirty nine Laſhes, and no more; which every Conſtable is hereby required to ſee done and performed, under the Penalty of forfeiting Forty Shillings for every ſuch his Neglect; to be recovered before any Juſtice of the Peace in ſuch Manner as aforeſaid; one half of which Forfeiture ſhall be for and to the Uſe of the Informer, the other half to the Church-wardens for the time being, for the Uſe of the Poor of the ſaid Pariſh; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The Channel of *Kingſton* may be buoyed or ſtaked out.

XVI. And be it alſo further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Town and Pariſh of *Kingſton*, from time to time, and as often as there ſhall be Occaſion, to buoy or ſtake out the Channel between *Kingſton* and *Port Royal*, at the Coſts and Charges of the Pariſh of *Kingſton* aforeſaid.

Penalty on Perſons pulling up ſuch Buoy or Stake.

XVII. And be it alſo further enacted, That whatſoever Perſon or Perſons, by him or themſelves, or his or their Servant or Servants, ſhall willingly or maliciouſly cut away any ſuch Buoy or Stake, or pull up the ſame, every ſuch Perſon or Perſons ſo offending, ſhall for every ſuch Buoy or Stake pulled up or cut away as aforeſaid, forfeit the Sum of Fifty Pounds; one half of which Forfeiture ſhall be to the Uſe of her Majeſty, her Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other half to him or them that ſhall ſue for the ſame in the Supreme Court of Judicature in this Iſland.

Diſpoſition of Forfeitures.

XVIII. And be it further enacted by the Authority aforeſaid, That all Penalties in this Act, and not mentioned how to be diſpoſed of, or how recovered, ſhall be one Half to her Majeſty, her Heirs, and Succeſſors, for and towards the Support of the Govern-

ment

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№ 152. *An Act for dividing the common or ſalt Savanna, in the Pariſh of* Vere.

WHEREAS our late Sovereign Lord King *Charles* the Second, by his gracious Letters Patent under the Great Seal of this Iſland, bearing Date the Twentieth Day of *January*, which was in the Thirty ſixth Year of his Reign, for the Conſiderations therein mentioned, did give and grant unto *Robert Varney*, late of the Pariſh of *Vere*, Eſq; and his Heirs for ever, a certain Parcel of Land, lying and being in the ſaid Pariſh of *Vere*; containing by Eſtimation Two thouſand and ſix hundred Acres, commonly called *The common or ſalt Savanna* (there being included in the Plat thereof Seven hundred Acres, formerly patented by *Robert Smart*, of the ſaid Pariſh; as likewiſe Sixty Acres, formerly patented by *Arthur Goodwin*, of the ſaid Pariſh; in all Three thouſand three hundred and ſixty Acres; bounding then North-eaſterly upon Capt. *John Goddard*, under the *Brazileto* Mountain; North-weſt on *John Downer* and *Samuel Gale*; Weſterly, upon Col. *William Wy*, the King's Road, *Arthur Turner*, *George Oſborne*, *Edward Green*, *Edward Brumpfield*, *Robert Barriffe*, *Richard Twarton*, and Capt. *Chriſtopher Horner*; South, on the ſaid *Horner* and *Richard Barriffe*; Eaſterly, on Mr. *John Lory*, Capt. *Horner*; the Sea and Moraſs, *Robert Windall*, *Peter Killby*, and *John Loyd*; North-eaſterly, on *Valentine Munby*; and Eaſt, on Capt. *Henry Rymes*, as by the Plat thereof to the ſaid Patent annexed appears) to have and to hold the ſame Premiſſes, with their and every of their Appurtenances, unto him the ſaid *Robert Varney*, his Heirs and Aſſigns for ever, under ſuch Rents, Proviſoes, Conditions, and Services, as are therein and thereby more particularly expreſſed and ſet forth: And whereas the ſaid Two thouſand and ſix hundred Acres of Land were patented by the ſaid *Robert Varney* in his Name, in Truſt only, for and at the ſpecial Inſtance and Requeſt of ſeveral of the Inhabitants of the ſaid Pariſh, to the Intent that the ſaid *Robert Varney* ſhould give and make a Title unto Thirty three Acres and a Half, for one Seventy ſeventh Part of the ſaid Land, be it more or leſs, to each ſuch Inhabitant; which was afterwards by him the ſaid *Robert Varney* accordingly, and purſuant to the ſaid Truſt, given and performed: But in regard, no Diviſion thereof in a legal Manner was then or at any Time ſince hath been made among the ſaid ſeveral Proprietors, whereby it hath remained and ſtill doth remain as an undivided Intereſt; which hath occaſioned not only ſeveral of the ſaid Proprietors to incloſe, fall, and manure greater Quantities of the ſaid Land than their Shares or Proportions have amounted to, but ſeveral other Perſons who have not any manner of Intereſt in, or the leaſt Colour of Pretence of Right unto the ſaid Land or any Part thereof, to incloſe, fall, and manure ſeveral Parcels of the ſaid Land, and to make great Sums of Money, and other Advantages thereby, contrary to all Law and Juſtice, and to the Prejudice of all the ſaid Proprietors: And whereas a Diviſion of the Land by a regular Courſe of Law, by reaſon of the great Number of Parties intereſted therein, and for ſeveral other Cauſes, is rendered almoſt, if not altogether impracticable; be it therefore enacted by the Governor, Council, and Aſſembly of this her Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That the Hon. *Henry Low*, *Richard Aldeburgh*, *John Carver*, *Edward Fearon*, and *James Rule*, Eſqrs. be, and are hereby appointed Commiſſioners for to view and inſpect the ſeveral and reſpective Titles of the Proprietors of the ſaid Land, to cauſe a juſt and equal Diviſion of the ſame to be made unto the ſaid Proprietors, according to the true Intent and Meaning of this Act; which ſaid Commiſſioners being firſt ſworn ſo to do by the Chancellor of this Iſland, or ſuch Perſon or Perſons as he ſhall by *Dedimus* appoint to adminiſter the ſaid Oath, are hereby impowered to appoint and adminiſter an Oath unto any Two ſuch honeſt able Surveyors as they or the major Part of them ſhall approve, to make a juſt and equal Diviſion of the ſaid Land, according to the Directions of this Act.

Commiſſioners to inſpect the Titles of the Proprietors of the ſaid Lands, and to cauſe them to be equally divided amongſt them,

II. AND foraſmuch as the beſt and moſt valuable Part of the ſaid Land lies together, and may be with the greateſt Eaſe and Convenience diſtinguiſhed, divided, and ſeparated entirely and apart from that which is much more ordinary, and of leſs Value; the ſaid Surveyors are hereby impowered and required to make ſuch diſtinct Diviſion, taking into each Diviſion ſuch a Quantity or Number of Acres as the Commiſſioners in their Judgements ſhall direct: Which Diviſion into Two Parcels being firſt made, the Surveyors ſhall proceed to divide again each of the ſaid Two Parcels into Seventy ſeven equal Parts, that

that each Proprietor may have his Share of the good and bad Land.

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that each Proprieter may have his Proportion of the good and bad land; which ſaid Diviſion being made, as aforeſaid, and each Seventy ſeventh Part of the ſaid reſpective Parcels of Land having a particular Number aſſigned thereto, the ſaid Commiſſioners, or the major Part of them, ſhall cauſe Seventy ſeven Pieces of Paper, of equal Shape and Bigneſs to be numbered, from Number One to Seventy ſeven and put into or under ſome proper Covert; from whence the ſaid Proprietors ſhall draw the ſaid Pieces of numbered Papers, which ſhall determine each Share of Land of the ſame Number to ſuch Proprietor that ſhall happen to draw the ſame; and the ſaid Commiſſioners, or the major Part of them, ſhall make Aſſignment of each ſuch Share according to the reſpective Lots or Numbers ſo drawn.

III. And foraſmuch as the Number of Proprietors whoſe Title ſhall appear to be approved of by the ſaid Commiſſioners, or the major Part of them, may be different from that of the ſaid Vendees of the aforeſaid Patentee; and for the avoiding any Confuſion that may happen thereby, it is hereby enacted and ordained by the Authority aforeſaid, That in caſe, and whenever more Claimers than one ſhall appear to have Right and Title to but one full Share, or Seventy ſeventh Part, containing Thirty three Acres and a Half, be the ſame more or leſs; that then, and in ſuch caſe, the ſaid Commiſſioners, ſhall direct and appoint one of the ſaid Proprietors to draw a Lot for one full Share; which ſaid Lot ſo being drawn, the ſaid Commiſſioners, or the major Part of them, ſhall cauſe the ſaid full Share to be divided by the ſaid Surveyors into ſuch and ſo many diſtinct Parts as the ſaid ſeveral Proprietors of the ſaid full Lot ſhall appear to have a Right and Title to.

When more Claimers than one ſhall appear to have Right to but one full Share of Land, one of the ſaid Proprietors to draw a Lot for it.

IV. And it is hereby further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall have and receive for each Day they ſhall be employed in Execution of this Act, Twenty Shillings each Commiſſioner *per Diem*; to be paid them by the ſeveral Perſons that ſhall claim or have Lots aſſigned them at that particular Time and Place of Meeting, when and where the ſaid Lots ſhall be aſſigned: Which ſaid Commiſſioners are hereby impowered to order and appoint ſuch proportionable Sum or Sums of Money as the ſaid Commiſſioners ſhall think moſt reaſonable for defraying all ſuch further Charges as ſhall ariſe from or be incident to the ſaid Diviſion, Meeting, and Aſſignment: And in like Manner, whenſoever one or more Claimers Proprietor or Proprietors, ſhall require or occaſion a Meeting of the ſaid Commiſſioners, or the Majority of them, in order to inſpect, view, hear, or determine ſuch their Claim or Claims; that then, and in ſuch caſe, the ſaid Commiſſioners, or the major Part of them, ſhall appoint and order as well the ſaid Twenty Shillings for each of themſelves as ſuch other the Claimer or Claimers, Proprietor or Proprietors porportionable Part of the Charges of the ſaid Diviſion and Aſſignment, as aforeſaid: And in caſe any ſuch Claimer or Proprietor ſhall refuſe to pay ſuch their proportionable Part of ſuch Charges ſo allotted them by the ſaid Commiſſioners, or the major Part of them; that then, and in ſuch caſe, the ſaid Commiſſioners, or the major Part of them, are hereby impowered to iſſue out their Warrant to any Conſtable to diſtrain upon the Goods and Chattels of ſuch Perſon or Perſons ſo refuſing to pay, as aforeſaid, and the ſame to ſell by publick Outcry, firſt giving Notice of ſuch Sale at ſome publick Place of the Precinct where ſuch Diſtraint ſhall be made, returning the Overplus (if any ſuch ſhall be) to the Owner, deducting Twelve Pence in the Pound to the Conſtable, for ſuch his Diſtreſs and Sale, as aforeſaid.

Commiſſioners Allowance,

V. And the ſaid Commiſſioners, or the major Part of them, are hereby further impowered and enabled, upon due and ſatisfactory Proof to them made of the Right, Title, and Property of any Claimer or Claimers, in and to ſuch their proportionable Part of the ſaid Land, and his, her, or their Lot or Lots being duly drawn, to aſſign to each ſuch Claimer ſuch his proportionable Part or Parts of the ſaid Land, as by his, her, or their Lot or Lots ſhall befal unto him or them, mentioning the ſeveral Buttings and Boundings of the ſaid proportionable Part or Parts ſo aſſigned; which ſaid Aſſignment is hereby declared to inveſt the Fee-ſimple of the ſaid proportionable Part or Parts ſo aſſigned in him, her, or them, to all Intents and Purpoſes whatſoever; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

who, upon Proof made to them, ſhall aſſign to each Claimer his Part of the Land, according to his Lot, &c.

VI. And foraſmuch as ſeveral Perſons that may appear to have a Right to and Intereſt in ſome Part or Share of the ſaid Land, having Confidence of ſuch their Right and Intereſt, have erected Buildings, made Indigo Works, Wells, and other Improvements, on ſeveral Parts of the ſaid Land; which ſaid Parts or Shares may probably by Lot happen, befal, and be aſſigned over unto ſome other Claimer and Proprietor; it is therefore hereby further enacted, That the ſaid Commiſſioners, or the major Part of them, be impowered, and are hereby impowered to value and eſteem ſuch Buildings and Indigo Works, Wells, or other Improvements, as they ſhall think them reaſonably worth; and to award ſuch Sum or Sums of Money to be paid to him, her, or them that ſhall have erected ſuch Buildings, made ſuch Indigo Works, Wells, or other Improvements, as aforeſaid, by him, her, or them to whom the ſaid Shares ſhall by Lot befal and be aſſigned,

Commiſſioners may value Indigo Works, &c. erected on the Lands, and award ſo much as they are worth to the Owners of them.

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aſſigned, as the ſaid Commiſſioners, or the major Part of them, ſhall value and eſteem the ſaid Buildings, Indigo Works, Wells, or other Improvements, to be reaſonably worth: And upon Refuſal of ſuch Payment by the Party or Parties ſo awarded to pay the ſame; that then, and in ſuch caſe, the ſaid Commiſſioners are hereby impowered to iſſue out their Warrants of Diſtreſs for the ſaid Sum or Sums of Money ſo awarded to be paid in lieu and full Aſſurance of ſuch Buildings, Indigo Works, Wells, or other Improvements, as they are before impowered for the defraying the Charges incident to the Diviſions and Aſſignment, as aforeſaid.

and appoint Surveyors to lay out the ſaid Lands, &c.

VII. AND to the Intent that the ſaid Diviſions and Aſſignments may be imely executed and performed, according to the true Intent and Meaning of this Act; it is therefore further enacted, That the Commiſſioners, or the major Part of them, be hereby impowered and required to meet at ſuch Place as they ſhall think convenient on the ſecond *Tueſday* in *June* next enſuing, then and there to appoint the ſaid Surveyors; which ſaid Surveyors ſo appointed, ſhall, upon due Notice given them by the ſaid Commiſſioners, or the major Part of them, of the certain Time and Place, and when and where they ſhall attend the ſaid Commiſſioners, in order to their being ſworn, and laying out and dividing the ſaid Land, according to the Directions and true Intent and Meaning of this Act, are hereby required at attend accordingly: And at all Times hereafter the ſaid Surveyors ſhall attend the ſaid Commiſſioners, at ſuch Times and Places as they the ſaid Commiſſioners, or the major Part of them, ſhall appoint.

Publick Notice to be given of their Meetings.

VIII. AND the ſaid Commiſſioners are hereby further impowered and required to give Notice at ſome publick Place in the Pariſh of *Vere*, whenever they intend to meet in the ſaid Pariſh, in order to inſpect and view the Titles of the ſeveral Claimers, and make Aſſignments of the ſaid Land, Five Days before the ſaid ſeveral and reſpective Times of Meeting.

Proviſo.

IX. PROVIDED nevertheleſs, That nothing in this Act contained ſhall extend to prejudice or deſtroy the Right, Title, or Intereſt of the aforeſaid *Robert Smart*, his Heirs, or Aſſigns, in and to Seven hundred Acres of Land; and of the aforeſaid *Arthur Goodwin*, his Heirs and Aſſigns, in and to Sixty Acres of Land, included in the Plat of the aforeſaid Two thouſand ſix hundred Acres of Land, as is before ſpecified.

Commiſſioners, if ſued, may plead this Act in Juſtification of themſelves.

X. AND be it further enacted by the Authority aforeſaid, That in caſe the aforeſaid Commiſſioners, or any one of them, ſhall be ſued or impleaded for any thing that he or they ſhall act or do, by virtue and in purſuance of, and in Compliance with this Act, it ſhall and may be lawful for the ſaid Commiſſioners, or any of them, to plead the General Iſſue, and give this Act in Evidence, which ſhall be allowed as good and valid, to all Intents and Purpoſes whatſoever, in bar of ſuch Suit or Action, in any of her Majeſty's Courts of Record in this Iſland; any Law, Cuſtom, or Uſage to the contrary thereof notwithſtanding.

Penalty on Surveyors neglecting their Duty.

XI. AND be it further enacted by the Authority aforeſaid, That if any Surveyor or Surveyors, Conſtable or Conſtables, ſhall neglect his or their Duty, as in this Act is required, they ſhall reſpectively forfeit the Sum of One hundred Pounds; to be recovered in her Majeſty's Supreme Court of Judicature in this Iſland; one Half of which Forfeitures ſhall be to our Sovereign Lady the Queen, her Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or him or them that ſhall ſue for the ſame, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

№ 153. Private. *An Act for the better ſecuring the Title of* John Sadler *Eſq; to certain Lands, by him formerly purchaſed of* Anna Petronella Byndleſs, *Widow.*

№ 154. Private. *An Act to reimburſe* Francis March *Eſq; for Money which he has undertaken to pay, and ſhall pay for the Pariſh of St.* Thomas in the Vale.

№ 155. Private. *An Act to enable Truſtees to make Sale of certain Lands, Part of the Eſtate of* George Ivy, *late of the Pariſh of* Vere, *Eſq; deceaſed, for Payment of his Debts, and for providing for the Maintenance, Education, and Suport of his eldeſt Daughter and younger Children.*

An

1710.

An Act for continuing an Act, intituled, An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the Firſt of *May*, 1709, to the Firſt of *May*, 1710; and from the Firſt of *May*, 1710, to the Firſt of *May*, 1711. — № 156. Expired.

An Act for appropriating the Sum of Five thouſand Pounds, for fitting out of two Sloops or Brigantines, for the guarding the Sea Coaſts, and better Defence of this Iſland. — № 157. Expired.

An Act for raiſing an additional Duty and Impoſt; and appropriating Money for ſeveral Uſes, from the Firſt of May, 1710, *to the Firſt of* May, 1711. — № 158. Expired.

An Act for making Proviſion for the Maintenance of Priſoners of War for the Year 1711. — № 159. Expired.

1711.

An Act for providing an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the Firſt of May, 1711, *until the Firſt of* Auguſt *then next enſuing.* — № 160. Expired.

An Act for continuing an Act, intituled, An Act for raiſing an additional Duty and Impoſt; and appropriating Money to ſeveral Uſes, from the Firſt of *May*, 1710, to the Firſt of *May*, 1711, *and from the Firſt of* May, 1711, *to the Firſt of* Auguſt *then next enſuing.* — № 161. Expired.

An Act for appropriating the Sum of Five thouſand Pounds, for fitting out two Sloops or Brigantines for guarding the Sea Coaſts and Trade of this Iſland. — № 162. Expired.

An Act for veſting the Eſtate, Real and Perſonal, of Thomas Finch, *late of the Pariſh of* Kingſton, *Eſq; in Truſtees, the better to enable his Securities to pay the Sum of Three thouſand eight hundred Pounds, due from the ſaid* Thomas Finch, *a Commiſſioner, to the Publick of this Iſland.* — № 163. Private.

An Act to enable her Majeſty's Treaſury of this Iſland to ſupport and diſcharge its extraordinary Occaſions, by appropriating — № 164. Expired.

1711. *propriating the Sum of Three thouſand Pounds out of the Money ariſen or to ariſe out of the additional Duty.*

№ 165. Repealed. *An Act declaring what Perſons ſhall be qualified to ſit in Aſſemblies.*

An Act for regulating Fees.

№ 166.

WHEREAS, notwithſtanding the Act for regulating Fees, ſeveral Officers of this Iſland have introduced ſeveral new Fees, and taken greater and other Fees than ſuch as were allowed by the ſaid Act; to the great Oppreſſion of the Inhabitants of this Iſland: For the Prevention whereof for the future, be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the Fees of the ſeveral Offices and Officers in this Iſland ſhall be as follows, *viz.*

No Officer to take any other Fees than what are hereby allowed.

Secretary's Fees.

II. To the Secretary, for recording a common Patent for one or more Parcels of Land, five Shillings.

III. For an Eſcheat Patent, ſeven Shillings and ſix Pence.

IV. Each Plat, one Shilling and three Pence.

V. Recording a Deed, the Length of a common Patent, for Land, five Shillings.

VI. And if longer, eight Pence *per* Sheet, containing twenty Lines, and eight Words to each Line.

VII. Recording Wills, Inventories, Preſentations, Prieſts Teſtimonials, Naturalizations, and Letters of Attorney at the ſame Rate.

VIII. For all Copies, the ſame as recording.

IX. For each Bond for Aliens Ships, ten Shillings.

X. Taking Bonds on Ships Entries, five Shillings.

XI. Certificate to the naval Officer thereof, one Shilling three Pence.

XII. If a Regiſter to be ſworn to, one Shilling three Pence.

XIII. Each Wine Licence, ſixteen Shillings three Pence.

XIV. And Bond to it, one Shilling three Pence.

XV. Marriage Licences, and Bonds to them, ſeventeen Shillings ſix Pence.

XVI. Each Proteſt, under Hand and Seal, ten Shillings.

XVII. Beſides travelling Charges, at one Shilling and three Pence *per* Mile.

XVIII. For obtaining the Governor's Atteſtation, if required thereto, five Shillings.

XIX. Certifying Bills of Lading, and Atteſtations thereto, ſix Shillings three Pence.

XX. Recording Slaves Freedoms, one Shilling three Pence.

XXI. Searching and acknowledging Satisfaction, each one Shilling three Pence.

XXII. Dockets, one Shilling three Pence.

XXIII. For each Let-paſs, five Shillings.

XXIV. Tickets to go off this Iſland, two Shillings ſix Pence.

XXV. Tickets to go off this Iſland without Bonds, five Shillings.

XXVI. Permits for Ships bound away, one Shilling three Pence.

XXVII. Permits for Iſland Veſſels, which are to be delivered at *Kingſton* or *Port Royal* on Demand, ſeven Pence Halfpenny

XXVIII. Putting up Names and Underwritings at each Place, ſeven Pence Halfpenny.

XXIX. Taking and recording Renunciations, ten Shillings.

XXX. Citations, each Name, two Shillings ſix Pence.

XXXI. Guardianſhips and Bonds, eighteen Shillings nine Pence.

XXXII. Caveats, ſeven Pence Halfpenny.

XXXIII. Probats of Wills, ten Shillings.

XXXIV. Dedimus, and recording, ten Shillings.

XXXV. Letters of Adminiſtration, and Warrants of Appraiſement, with Bonds, each ſeven Shillings ſix Pence.

Secretary to take ſeven Pence Halfpenny, as a Fee, for receiving and recording every Deed brought to him.

XXXVI. And whereas it is neceſſary, for the Eaſe and Security of all her Majeſty's Subjects, that all Deeds, and other Writings brought into the ſaid Office, ſhould be recorded in a prefixed Time; be it further enacted by the Authority aforeſaid, That the Secretary, his Deputy or Deputies, Clerk or Clerks, ſhould immediately, upon bringing of any Deeds, or other Writings into the ſaid Office, ſign and give a Receipt under his Hand to the Perſon or Perſons bringing ſuch Deeds or Writings, and demanding the ſame, for which he ſhall and may demand ſeven Pence Halfpenny, and no more; and paying for recording the ſame, ſhall be obliged to give a Receipt for the Money ſo paid, and thereupon

upon ſhall immediately underwrite or indorſe upon ſuch Deeds or Writings the Day of their being entered in the Office, or coming to his Hands, as aforeſaid: And that every ſuch Deed, or other Writing, ſhall be recorded fairly at Length within fifty Days after the ſame ſhall be brought into his Office, or delivered into the Hands of the Secretary, or his Deputy, as aforeſaid, under the Penalty of Fifty Pounds for every Neglect or Default, contrary to the true Intent and Meaning hereof; and that every ſuch Deeds, or other Writings, ſo entered as aforeſaid, ſhall be deemed and taken to be enrolled from the Time of the Entry or Delivery thereof into the Secretary's Office, as aforeſaid; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding. 1711.

All Acts of this Iſland to be recorded in the Secretary's Office, &c.

XXXVII. And whereas it has happened that ſome of the Laws of this Iſland have been obliterated, and ſometimes loſt, be it enacted by the Authority aforeſaid, That all and every the Acts of this Iſland now in Force, and all others hereafter to be made and paſſed, ſhall be entered and recorded in the Secretary's Office of this Iſland, in a fair Book to be kept for that Purpoſe only, under the Penalty of One hundred Pounds; and ſuch Entry, or true Copy thereof, ſworn to by the Secretary before any Judge of the Supreme or Grand Court, ſhall be deemed and taken to be as valid as the original Act, and pleadable in all or any of her Majeſty's Courts of Record in this Iſland: And that the preſent Secretary, or any other Secretary or Secretaries for the time being, ſhall have and receive Twenty five Shillings for each Act to be recorded, as aforeſaid, which hath been already paſſed; and for each Act hereafter to be paſſed, Twenty Shillings; to be paid out of the publick Treaſury of this Iſland: And for all Copies, the ſame as recording Deeds and Patents; to be paid for by the Perſon demanding ſuch Copies.

Fees of the Supreme Court.

XXXVIII. And be it further enacted by the Authority aforeſaid, That the Fees of the Supreme Court ſhall be, *viz.*

XXXIX. To the Judges for ſigning every Proceſs, one Shilling three Pence.

XL. To the Clerk for a Writ of Summons, Arreſt, Replevin, or Foreign Attachment, one Shilling three Pence.

XLI. For filing a Declaration, and Copy of it annexed to the Writ, two Shillings ſix Pence.

XLII. For a Bond for Foreign Attachment, Arreſts, and Replevins, and upon no other Writ whatſoever, two Shillings ſix Pence.

XLIII. For a Replication, or Rejoinder, two Shillings ſix Pence.

XLIV. For a Common Plea, ſeven Pence Halfpenny.

XLV. For a Special Plea, two Shillings ſix Pence.

XLVI. For recording a Judgement, two Shillings ſix Pence.

XLVII. For a *Venire Facias*, ſeven Pence Halfpenny.

XLVIII. For a *Habeas Corpus*, by Order of Court, two Shillings ſix Pence.

XLIX. To the Clerk, for receiving every Verdict and Continuance, each, ſeven Pence Halfpenny.

L. For a *Retraxit*, or Nonſuit recorded, each, one Shilling three Pence.

LI. For a Writ of Poſſeſſion, Seizin, Reſtitution, each, five Shillings, ſeven Pence Halfpenny.

LII. For Executions and Venditions, two Shillings ſix Pence.

LIII. For a *Subpœna*, in which the Names of three Witneſſes may be inſerted, one Shilling three Pence.

LIV. For a Recognizance, or Depoſition taken in Court, one Shilling three Pence.

LV. For entering Satisfaction upon Record, or *Superſedeas*, two Shillings ſix Pence.

LVI. For taxing Coſts, one Shilling three Pence.

LVII. For a Commiſſion of Reference to Auditors, five Shillings.

LVIII. For a Writ of Enquiry, *Scire Facias*, and returning the Record upon Writ of Error, two Shillings ſix Pence.

LIX. For Warrant of Attorney in each Cauſe, as has been uſual, ſeven Pence Halfpenny.

LX. For entering the Report of Auditors, and for the Exemplification of a Record, each, five Shillings.

LXI. For every Judgement confeſſed out of Court to the Clerk, two Shillings ſix Pence.

LXII. For every other Writ iſſuing out of the ſaid Court, one Half to the Judge, the other Half to the Clerk, five Shillings.

LXIII. To the Cryer of the Grand Court for every Witneſs ſworn, ſeven Pence Halfpenny.

LXIV. And for calling out the Defendant, where the Action goes by Default, one Shilling three Pence.

On the Death of a Chief Judge, the next Aſſiſtant Judge may act in his Room.

LXV. And it is further enacted and ordained by the Authority aforeſaid, That in caſe of the Death, or Diſability to act, of any Chief Judge of this Iſland for the future, it ſhall and may be lawful for the next Aſſiſtant Judge to ſign all Writs, and in every thing elſe to act and do for the expediting and Diſpatch of Juſtice, in as full and ample Manner, as the

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the chief Judge himſelf might or could have done, until a new Judge ſhall be appointed, or the Diſability removed.

Proceſs to be ſerved, notwithſtanding the Death of a Provoſt-marſhal.

LXVI. And whereas the like Inconveniencies may happen by the Death of any Provoſt-marſhal of this Iſland, between the Teſt and Return of Writs, ſo as all ſuch Proceſs may be entirely loſt, to the great Delay and Expence of the Subject in reviving ſuch Proceſs; be it therefore further enacted by the Authority aforeſaid, That in caſe of the Death or Removal of any Provoſt-marſhal for the future, ſo as he may be rendered incapable to make Return of Writs, the ſucceeding Provoſt-marſhal is hereby authorized and impowered to make Return of the ſame; and in every thing elſe to act and do as fully and effectually as the preceding Provoſt-marſhal could have done, firſt having given Security to the preceding Provoſt-marſhal, or his Security, to indemnify them, and taking the ſame himſelf of the reſpective Marſhals, and in all other Reſpects qualified himſelf, as by the Law of this Iſland is required; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Clerk of the ſupreme Court, &c. not to deliver out any Writ, until a Declaration is filed for the ſame.

LXVII. And be it further enacted and ordained by the Authority aforeſaid, That no Clerk of the Supreme Court, or any other Perſon who ſhall officiate the ſaid Office, ſhall deliver out to any Lawyer, Attorney, Solicitor, or any other Perſon or Perſons, any Writ whatſoever, until a Declaration be filed in the Clerk's Office for the ſame, except Warrants of Arreſts and *Subpœnas*, under the Penalty of Five Pounds for every Writ ſo given out.

Provoſt-marſhal's Fees.

LXVIII. And it is hereby further enacted by the Authority aforeſaid, That the Provoſt-marſhal's Fees be,

LXIX. For every Commitment and Releaſement, either in Common Law or Chancery, each, two Shillings ſix Pence.

LXX. For Diet and Lodging, as the Priſoner can agree, or to find himſelf; or if the Priſon Allowance, *per* Day, ſeven Pence Halfpenny.

LXXI. For executing any Writs in the Town of St. *Jago de la Vega*, two Shillings ſix Pence.

LXXII. For an Arreſt on Board of Ship, beſides Boat-hire, five Shillings.

LXXIII. And in any other Place, beſides Mile-money, five Shillings.

LXXIV. For exempting a Writ of Poſſeſſion, Seizin, Writ of *Eſcheat*, *Ceſſavit*, or Aſſignment of Dower or Partition, ten Shillings; and Mile-money after the Rate of ſix Pence *per* Mile, to the Place where the Writ is executed.

LXXV. For ſummoning a Jury to execute a Writ of Poſſeſſion, *Eſcheat*, *Ceſſavit*, or Aſſignment of Dower or Partition, within the Town of St. *Jago de la Vega*, *Kingſton*, or *Port Royal*, or within five Miles of any of the ſaid Towns, three Pounds.

LXXVI. If above five Miles, five Pounds.

LXXVII. For the Return of a *Habeas Corpus cum cauſa*, if in the Town of St. *Jago de la Vega*, two Shillings ſix Pence.

LXXVIII. For his Attendance on the Priſoner to any other Place, *per* Day, four Shillings four Pence Halfpenny.

LXXIX. For ſummoning a Special Jury, ſix Shillings three Pence.

LXXX. For the Return of a *Venire Facias*, one Shilling three Pence.

LXXXI. For every Bond, with Sureties for Appearance, to be paid by the Defendant, ſeven Pence Halfpenny.

LXXXII. For Allowance of a *Superſedeas*, one Shilling three Pence.

LXXXIII. For a Copy of a Warrant, ſeven Pence Halfpenny.

LXXXIV. For executing all Writs of Enquiry, Writs of Partition, *Proprietate probanda*, Forcible Entry, and Writs of Poſſeſſion, each, ten Shillings; and Mile-money, at and after the Rate of ſix Pence *per* Mile.

LXXXV. For ſerving every Summons at Common Law, or Foreign Attachment, beſides Mile-money, two Shillings ſix Pence.

LXXXVI. For his Fees upon each Verdict, two Shillings ſix Pence.

LXXXVII. For ſerving all Summons, and other Writs at Common Law, and all other Writs iſſuing out of the Court of Chancery, to him directed, two Shillings ſix Pence each Writ, beſides Mile-money, at three Pence *per* Mile, except all Writs of Election, for which ſhall be paid ſuch Fee or Fees as the Governor, and Council for the time being ſhall think fit to order and appoint.

LXXXVIII. For every Search in the Provoſt-marſhal's Books, one Shilling three Pence.

LXXXIX. For each Licence to ſell Drink, ſixteen Shillings three Pence.

XC. For levying a Debt by Execution for the firſt hundred Pounds and under, at the Rate of twelve Pence *per* Pound; and for all Sums over and above one hundred Pounds, ſix Pence in the Pound, and no more; and that he take no more Fees than for the Money that is really due to the Plaintiff, without any Pretence of Mile-money, or any other Charge whatſoever.

XCI. For an Aſſignment of a Bail-bond, two Shillings ſix Pence.

XCII. For diſburſing his Money for taking up runaway Negroes which are brought to Priſon, two Shillings ſix Pence in the Pound.

XCIII. For

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XCIII. For Diet for every Negro, *per* Day, ſix Pence.

XCIV. For executing every white Perſon, five Pounds.

XCV. For executing every Slave, one Pound; and Mile-money, after the Rate of ſix Pence *per* Mile to the Place where the Slave is ſent to be executed; to be paid, together with the Priſon Fees, by the Church-wardens of the Pariſh to which the Slaves belong.

XCVI. To the Bailiff that keeps the Jury, for every Action tried, one Shilling three Pence.

XCVII. For ſerving all Proceſs iſſuing out of the Supreme Court (*Subœnas*, Executions, and Venditions only excepted) *per* Mile, three Pence; which Miles aforeſaid ſhall be accounted from the Supreme Court to the ſeveral Places where the Writs ſhall be ſerved, according to the common Computation.

Penalty on Clerk of the Supreme Court, &c. taking greater Fees than are allowed in the petty Courts, if the Verdict is not for above 20 *l.*

XCVIII. And it is hereby enacted and ordained by the Authority aforeſaid, That the Clerk of the Supreme Court, the Marſhal, nor any other Perſon whatſoever, ſhall hereafter, for any Action where the Verdict of the Jury ſhall not amount to above twenty Pounds (excepting where Titles of Land are tried) take any other or greater Fees than what are allowed in the petty Courts of this Iſland, under the Penalty of one hundred Pounds current Money; to be recovered by Action of Debt in any Court of Record of this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed: One Moiety whereof ſhall be to our Sovereign Lady the Queen, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges hereof; the other Moiety to the Party aggrieved, or to him or them that ſhall ſue for the ſame.

Fees of the inferior Courts.

XCIX. That the Fees of the inferior Courts ſhall be,

C. To the Jury upon each Verdict, two Shillings ſix Pence.

CI. For a Summons, ſeven Pence Halfpenny.

CII. For confeſſing Judgement out of Court, one Shilling three Pence.

CIII. For copying and filing a Declaration, each, one Shilling three Pence.

CIV. To the Judge for ſigning any Proceſs, one Shilling three Pence.

CV. For entering a Plea, Replication, or Rejoinder, each, one Shilling three Pence.

CVI. For a *Capias*, one Shilling three Pence.

CVII. For a Summons for a Jury, ſeven Pence Halfpenny.

CVIII. To the Clerk for recording the Verdict, and entering Judgement, each, one Shilling three Pence.

CIX. For a *Retraxit*, Diſcontinuance, or Nonſuit, and recording the ſame, each, one Shilling ſix Pence.

CX. For an Execution and Vendition, each, two Shillings ſix Pence.

CXI. For a *Scire Facias*, two Shillings ſix Pence.

CXII. For an Exemplification for a Record, five Shillings.

CXIII. To the Cryer for every Verdict, one Shilling three Pence.

CIV. For a *Subpœna*, one Shilling three Pence.

CXV. For certifying a Record upon a Writ of Error, five Shillings.

CXVI. For a Commiſſion to, and Return of Auditors, each, five Shillings.

CXVII. For every Bond taken upon Warrant of Arreſt or Replevin, each, one Shilling three Pence.

CXVIII. For filing a Warrant of Attorney, ſeven Pence Halfpenny.

CXIX. For a Continuance, each Court and Replevin, each, one Shilling three Pence.

CXX. For acknowledging Satisfaction upon Record, and taxing Coſts, each, one Shilling three Pence.

CXXI. To the Cryer, for every Witneſs ſworn, ſeven Pence Halfpenny.

Proviſo.

CXXII. Provided always, and it is hereby further enacted and ordained by the Authority aforeſaid, That none of the inferior Courts intermeddle with or determine any Actions whatſoever, where Titles of Land or Negroes are concerned; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

For Sums under 20 *l.* Judges of inferior Courts may iſſue Foreign Attachments.

CXXIII. And be it further enacted by the Authority aforeſaid, That the Judge or Judges of any of the inferior Courts of this Iſland, ſhall have like Power and Authority to iſſue out Foreign Attachments for any Sum of Money under Twenty Pounds, as the Chief Judge of the Supreme Court now hath by an Act of this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Marſhals, Fees.

CXXIV. And be it further enacted by the Authority aforeſaid, That the Fees of the Marſhals of the inferior Courts be,

CXXV. For the Return of a *Cepi Corpus*, *Nulla bona*, *non eſt inventus*, each, ſeven Pence Halfpenny.

CXXVI. For the Return of a Proclamation, one Shilling three Pence.

CXXVII. For the Return of a *Habeas Corpus*, two Shillings ſix Pence.

CXXVIII. For every Name returned upon an *Exigent*, ſeven Pence Halfpenny.

CXXIX. For the Return of a Record upon Writ of Error, two Shillings ſix Pence.

CXXX. For ſerving every Proceſs, *per* Mile, three Pence.

CXXXI. For

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CXXXI. For ſerving a Replevin, one Shilling three Pence.

CXXXII. For Releaſe of a Felon, one Shilling three Pence.

CXXXIII. For every Commitment and Releaſement, each, one Shilling three Pence.

Clerks of the Crown, &c. to make Return of all Eſtreats of Fines, &c.

CXXXIV. AND be it enacted and ordained by the Authority aforeſaid, That the Clerks of the Crown and Peace for the ſeveral and reſpective Courts and Seſſions within this Iſland, ſhall be obliged, and are hereby required to return to the Provoſt-marſhal-general Eſtreats of all Fines, Forfeitures, and Amerciaments whatſoever, not taken off, which ſhall be impoſed in any of the ſaid Courts, within one Month after each Court or Seſſions, under the Penalty of Twenty Pounds for every Default, to the end the Provoſt-marſhal for the time being may deliver Copies of the ſame to her Majeſty's Attorney-general and Receiver-general for the time being, in order to obtain Proceſs for levying the ſame, which he is required to do in One and twenty Days; and after the Receipt of any Monies by him ſo levied, to pay the ſame forthwith into the Hands of the Receiver-general for the time being.

Penalty on Provoſt-marſhal not paying ſuch Fines to Receiver-general.

CXXXV. AND in caſe the Provoſt-marſhal ſhall neglect to pay into the Hands of the Receiver-general for the time being, any ſuch Fines, Forfeitures, or Amerciaments, within Twenty Days after the Receipt thereof, he ſhall forfeit for every ſuch Offence the Sum of One hundred Pounds.

Coroner's Fees.

CXXXVI. That the Coroner's Fees be,

CXXXVII. For each Inquiſition taken on the Body of any Perſon that came by an untimely Death, to be paid out of the Eſtate of the Perſon deceaſed; and where no Eſtate is found, then to be paid by the Church-wardens of the Pariſh where the Inquiſition is taken, three Pounds.

Juſtice of Peace's Fees.

CXXXVIII. To the Juſtices of the Peace,

CXXXIX. For every Warrant, one Shilling three Pence.

CXL. For every Examination, Affidavit, *Mittimus*, and Releaſe, each, one Shilling three Pence.

CXLI. For every Recognizance, two Shillings ſix Pence.

Conſtable's Fees.

CXLII. To the Conſtable,

CXLIII. For every Warrant ſerved, one Shilling three Pence.

Clerk of the Crown's Fees.

CXLIV. That the Clerk of the Crown's Fees be,

CXLV. For every Indictment returned *Billa vera*, one Pound.

CXLVI. And for every Bill *Ignoramus*, twelve Shillings ſix Pence.

Clerk of the Peace's Fees.

CXLVII. That the Clerk of the Peace's Fees be,

CXLVIII. For an Order of Seſſions for a Licence to ſell Rum and Rum-punch, and Bond, ſeven Shillings ſix Pence.

CXLIX. For every Preſentment returned *Billa vera*, twelve Shillings ſix Pence.

CL. For every Bill returned *Ignoramus*, ſeven Shillings ſix Pence.

CLI. For the Trial of Negroes, ten Shillings.

CLII. And for every Day's Attendance after the firſt, five Shillings.

CLIII. For every Recognizance, two Shillings ſix Pence.

CLIV. For filing or entering the ſame, or any other Recognizance, two Shillings ſix Pence.

Fees of the Great Seal.

CLV. That the Fees of the Great Seal be,

CLVI. For the Seal of every hundred Acres of Land patented, ten Shillings; and ſo in Proportion for a greater or leſſer Quantity.

CLVII. For Foot-land, five Shilings, not exceeding fifty Foot ſquare, adding two Sides of the Square together.

CLVIII. And ten Shillings for every hundred Foot, or any other Number above fifty Foot.

CLIX. For every Order granted for taking up Land, two Shillings ſix Pence *per* hundred, and no more; and ſo in Proportion for a greater or leſſer Number of Acres.

CLX. For ſealing a Writ of Exemption of a Decree, *Subpœna*, or other Proceſs, ſeven Pence Half-penny.

Chancery Fees.

CLXI. That the Fees in Chancery be,

CLXII. For an Affidavit, or Oath to anſwer, taken before a Maſter in Chancery, one Shilling three Pence.

CLXIII. For all other Affidavits, one Shilling three Pence.

CLXIV. For taxing a Bill of Coſts, five Shillings.

Governor's Fees.

CLXV. To the Governor,

CLXVI. For every Oath taken before him, as Governor or Ordinary, one Shilling three Pence.

Clerk of the Chancery and Patents Fees.

CLXVII. That the Clerk of the Chancery and Patents Fees be,

CLXVIII. For regiſtering every Bill, Anſwer, or any other Proceedings, eight Pence *per* Sheet, accounting eight Words to a Line, and twenty Lines to a Sheet.

CLXIX. And where there are more Plaintiffs or Defendants than One in any Cauſe, that no more than one Copy of the Bill, Anſwer, or any other Proceedings, ſhall be charged by the Regiſter, or taxed in any Bill of Coſts.

CLXX. For

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CLXX. For a *Subpœna*, in which the Names of three Witneſſes may be inſerted, two Shillings ſix Pence.

CLXXI. For an Attachment, two Shillings ſix Pence.

CLXXII. For a Writ of Inquiſition, Bond, and Attendance, five Shillings.

CLXXIII. For a Commiſſion, ſix Shillings ten Pence Halfpenny.

CLXXIV. For a Decree, and Copy thereof, ſix Shillings three Pence, if not above ſix Sheets; if above, eight Pence *per* Sheet, twenty Lines to a Sheet, and eight Words to a Line.

CLXXV. For a *Dedimus*, five Shillings.

CLXXVI. For a *Juſticius*, five Shillings.

CLXXVII. For lodging Money in Court, ſix Pence *per* Pound.

CLXXVIII. For entering an Order of Court, one Shilling three Pence.

CLXXIX. For a Copy of a Minute of one Cauſe in one Chancery-day, one Shilling three Pence.

CLXXX. For an Oath taken in Court, one Shilling three Pence.

CLXXXI. For filing any Proceedings, one Shilling three Pence.

CLXXXII. For entering an Appearance, one Shilling three Pence.

CLXXXIII. For a Certificate of each Parcel of Land reſigned to the Queen, five Shillings.

CLXXXIV. For every Eſcheat-patent and Bond, one Pound.

CLXXXV. And for all other Patents, ten Shillings.

CLXXXVI. And if any more Parcels of Land than one in a Patent, fifteen Shillings, and no more.

CLXXXVII. For ſearching, one Shilling three Pence.

CLXXXVIII. For a Docket, one Shilling three Pence.

CLXXXIX. For a Plat, two Shillings ſix Pence.

CXC. For a *Caveat*, one Shilling three Pence.

CXCI. For a Commiſſion of Rebellion, twelve Shillings ſix Pence.

CXCII. For all other Writs iſſuing out of the Chancery, each, five Shillings, and no more.

CXCIII. AND be it hereby enacted, That all Chancery Proceſs, except Attachments, may be ſerved by any Perſon, as heretofore.

CXCIV. That the Attorney-general's Fees be,

Attorney-general's Fees.

CXCV. For each common Patent, where there is but one Parcel of Land, one Pound.

CXCVI. And if more Parcels of Land be contained in a Patent, then one Pound ten Shillings.

CXCVII. For an Eſcheat-patent, five Pounds, and no more.

CXCVIII. For each *Fiat*, ten Shillings.

CXCIX. For a Pardon, five Pounds.

CC. And for all Proſecutions at the Queen's Suit, and other Proceſs relating thereto, as the Governor and Council for the Time being ſhall direct.

Receiver-general's Fees.

CCI. That the Receiver-general's Fees be ſuch as are appointed by the Quit-rent Act, as alſo for entering and clearing all Veſſels that come from Foreign Parts, five Shillings each.

CCII. For every Bond taken in his Office, two Shillings ſix Pence.

CCIII. For entering and clearing all Veſſels that go trading to other Countries, one Shilling three Pence each.

CCIV. PROVIDED always, That no Turtlers, nor other Veſſels trading about this Iſland pay any Fees.

CCV. That the naval Officer's Fees be,

Naval-officer's Fees.

CCVI. For entering all Ships from Abroad to this Iſland, from the Northward of the Tropick of *Cancer*, two Shillings ſix Pence.

CCVII. For clearing each ſuch Veſſel, two Shillings ſix Pence.

CCVIII. For examining and recording Certificates, that Bonds are given according to the Act of Navigation in *England*, five Shillings.

CCIX. For every Bond taken here not to break the ſaid Act, with Duplicate of the ſame, five Shillings.

CCX. For examining all Cockets, Bills of Store, and Certificate of the Freedom of the Ships and Veſſels trading to this Iſland, two Shillings ſix Pence.

CCXI. For taking an Account of all Veſſels trading to this Iſland, two Shillings ſix Pence.

CCXII. For adminiſtering the Oath appointed by an Act of the Country to the Maſters of *Madera* Veſſels that import Wines, one Shilling three Pence.

CCXIII. For entering and clearing all Veſſels trading about this Iſland (except turtling Sloops, which ſhall be and are hereby exempted from paying any thing) one Shilling three Pence.

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CCXIV. For every Oath adminiſtered, one Shilling three Pence.

CCXV. For every Warrant of Survey, two Shillings ſix Pence.

CCXVI. For the Return, two Shillings ſix Pence.

CCXVII. For a Certificate, that the Goods of the Growth of *Europe* were ſhipped from hence to any of the Colonies in *North America*, and the Oath, eight Shillings nine Pence.

CCXVIII. For regiſtring all Ships, purſuant to an Act of Parliament, intituled, *An Act for preventing Frauds, and regulating Abuſes in the Plantation Trade*, five Shillings.

Collectors Fees.

CCXIX. That the Collectors Fees be,

CCXX. For entering and clearing all Veſſels trading beyond the Tropick of *Cancer*, and Certificate given of their Lading, five Shillings.

CCXXI. For entering and clearing all Veſſels trading to *Guinea*, with Bonds and Certificates of paying ten *per Cent.* and adminiſtering the Oath, ten Shillings.

CCXXII. For entering all Invoices of Goods returned from *Guinea*, and adminiſtering the Oath, two Shillings ſix Pence.

CCXXIII. For ſigning the Regiſter of all Veſſels, and recording the ſame, five Shillings.

CCXXIV. For ſigning a Certificate, five Shillings.

CCXXV. For regiſtering the Company of every three Maſt Veſſel, five Shillings.

CCXXVI. And for regiſtering every other Veſſel or Sloop's Company (except turtling Sloops and Veſſels trading round this Iſland, which ſhall not pay any thing for ſuch Regiſter or altering the ſame) two Shillings ſix Pence.

Admiralty Fees.

CCXXVII. That the Fees of the Admiralty be,

CCXXVIII. To the Judge or Judges, and other Officers of the Court, on the Condemnation or Acquittal of every Veſſel ſeized for Breach of any of the Acts of Navigation or Trade, for every Veſſel under one hundred Tons, ten Pounds.

CCXXIX. And for every Veſſel of one hundred Tons or upwards, fifteen Pounds; to be diſtributed amongſt the Judges, or other Officers, in ſuch Manner as is allowed by an Act of Parliament, intituled, *An Act for the Encouragement of the Trade to* America.

CCXXX. To the Regiſter, for a Copy of a Condemnation, one Pound.

CCXXXI. For a Warrant of Appraiſement under the Seal of the Admiralty, ten Shillings.

Clerk of the Market's Fees.

CCXXXII. That the Clerk of the Market's Fees be,

CCXXXIII. For every Beef and Veal killed, one Shilling three Pence.

CCXXXIV. For every Mutton, Lamb, Goat, Turtle, Hog, or Kid, each, ſeven Pence Halfpenny.

CCXXXV. Where any Diſputes ſhall ariſe about Weights between the Buyer and Seller, and Complaint be made to the Clerk to decide it by weighing at his Scales, to be paid for each Draught by the Party in the wrong, one Shilling three Pence.

CCXXXVI. For marking every Pot, from the Gill to the Gallon, two Pence.

CCXXXVII. For marking all Weights, from the Ounce to half hundred Weight Groſs, two Pence.

CCXXXVIII. For ſealing every Ell or Yard, two Pence.

Proviſo.

CCXXXIX. PROVIDED always, That no Fees ſhall be taken for Weights and Meaſures, as aforeſaid, above once every Year, and that only in each Market, Retailers Beings and Habitations within this Iſland, except Weights belonging to Wharfingers and Storehouſe Keepers, which ſhall be weighed ſome time in the Months of *February* and *June* every Year by the Clerk of the Market.

Penalty on making uſe of Stilyards in any Market, &c.

CCXL. AND that no Stilyards be made uſe of in any Markets, Retailers or Huckſters Shops, under the Penalty of twenty Shillings for each Time ſo made uſe of: One Half of ſuch Forfeitures to be to the Poor of the Pariſh, the other to the Informer, or him that ſhall ſue for the ſame before any Juſtice of the Peace.

Clerk of the Market to qualify himſelf. *Vide Abridgm. Tit.* Fees.

CCXLI. PROVIDED always, That the Clerk of the Market, or other Perſon officiating under him, ſhall not take or demand any of the Fees aforeſaid for killing of Meat, but of ſuch Perſons as ſhall ſell in the ſaid Market; nor ſhall preſume to officiate in his ſaid Office until he has qualified himſelf, as by an Act for regulating Fees is required; nor ſhall ask, demand, or receive any of the Fees before mentioned, unleſs he conſtantly attends by himſelf or Deputy during the Time of the Market, under the Penalty of Forty Shillings for every ſuch Offence; to be recovered before any Juſtice of the Peace: One Half to the Informer, the other Half to the Poor of the Pariſh.

CCXLII. AND that no Butcher or Turtler ſhall ſell any Turtle or Meat by Retail, but in open Market, under the Penalty of Forty Shillings; to be recovered before any Juſtice of the Peace, for the Poor of the ſaid Pariſh.

Surveyor's Fees.

CCXLIII. AND it is hereby enacted by the Authority aforeſaid, That the Surveyor's Fees ſhall be,

CCXLIV. For entering the Order into his Book, one Shilling three Pence.

CCXLV. For ſurveying or re-ſurveying, two Pence *per* Acre, all *Savanna*, level or clear Ground.

CCXLVI. For

CCXLVI. For Wood-land, four Pence *per* Acre.

CCXLVII. And ten Shillings for each Day hindered or delayed for drawing the Plat with Fieldwork, which they ſhall be obliged to deliver with their Plat, ten Shillings. 1711.

CCXLVIII. For ſurveying Houſe or Land at St. *Jago de la Vega*, *Port Royal*, *Kingſton*, *Paſſage Fort*, or any other Bay or Harbour, if not exceeding one hundred twenty Feet, and ſo in Proportion for a great Quantity of Footland, ten Shillings.

CCXLIX. To the Clerk of the Warrants, Clerk of the Warrants Fees.

CCL. For drawing a Warrant for the Seal, four Shillings four Pence Halfpenny.

CCLI. That the Lawyers Fees be, Lawyers Fees.

CCLII. For drawing a Declaration, five Shillings.

CCLIII. For each Copy, two Shillings ſix Pence.

CCLIV. For a Pleading Fee, five Shillings.

CCLV. For drawing every Bill, Anſwer, Plea, Demurrer, Replication, Rejoinder, and all other Proceedings in Equity, each, two Pounds.

CCLVI. For engroſſing the ſame, one Pound.

CCLVII. For every Motion made or defended in the Court of Chancery, upon which any Order is made, ten Shillings.

CCLVIII. For arguing Exceptions, a Plea, Demurrer, or the Cauſe at hearing, one Pound.

CCLIX. And to the Intent that no Perſon be impoſed upon, or obliged to pay any greater or other Fees than what are herein mentioned, expreſſed, and ſet down; be it further enacted by the Authority aforeſaid, That a fair written Table of the Fees allowed and eſtabliſhed by this preſent Act to be taken in the reſpective Offices in this Iſland, ſhall be conſtantly and publickly kept in the ſeveral Offices following, *viz.* A Table of Fees to be ſet up in the reſpective Offices.

CCLX. The Secretary's Office;

CCLXI. Provoſt-marſhal's Office;

CCLXII. Clerk of the Crown;

CCLXIII. Clerk of the Grand Court;

CCLXIV. Regiſter of the Chancery Office;

CCLXV. Clerk of the Patents;

CCLXVI. In the Regiſter of the Admiralty's Office;

CCLXVII. Naval Office;

CCLXVIII. Collector and Receiver-general's Office.

CCLXIX. And in caſe any Officer or Officers ſhall neglect or delay, within forty Days after the paſſing this Act, to fix and ſet up Tables of their Fees, as they are hereby ſettled and eſtabliſhed; every ſuch Officer or Officers neglecting, omitting, or delaying to do the ſame, ſhall forfeit the Sum of One hundred Pounds; to be recovered in any Court of Record of this Iſland by Action of Debt, or otherwiſe: One Moiety whereof ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Informer, or him or them that ſhall ſue for the ſame. Penalty on Officers omitting to fix up ſuch Table,

CCLXX. And in caſe any Officer, or any other Perſon for them, ſhall on any Pretence whatſoever preſume to aſk, take, demand, or receive any greater or other Fees, Sum or Sums of Money, or other Reward, ſave what is herein before preſcribed (always except what ſhall be voluntarily given or allowed to Lawyers or Practitioners at Law by their Clients) every ſuch Officer, Perſon or Perſons, ſo aſking, demanding, taking, or receiving, ſhall, for every ſuch Offence, reſpectively, forfeit the Sum of One hundred Pounds: One Moiety whereof ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Half to the Informer, or him or them that ſhall ſue for the ſame, and be further incapacitated to bear any ſuch Office or ſuch Place of Truſt; and ſuch Lawyer or Attorney ſhall be incapable of practiſing any more in any of the Courts of this Iſland. or daring to take greater Fees.

CCLXXI. Provided always, That if any Fee or Fees appointed by any Act of this Country, or by any Statute or Law in Force in this Iſland, and not hereby repealed, for any Breach of any Duty incumbent on any Officer or other Perſon, and ſhall not be particularly ſpecified in this Act, it ſhall and may be lawful for ſuch Officer or other Perſon to take ſuch Fees as by ſuch Law or Statute is appointed: And ſuch Officer or Officers ſhall add ſuch Fee or Fees by him or them ſo taken, to the Liſt of his Fees fixt up in his Office, according to the Directions of this Law, together with a Minute of the Act or Statute warranting the ſame; to the End that ſuch Fee or Fees, if any ſuch be omitted, may hereafter be annexed to ſuch Office by a ſupplementary Act at any future Seſſions of the Aſſembly. Proviſo.

CCLXXII. And provided alſo, That the Penalties in this Law ſhall not extend to the Parochial Officers, for taking their Fees for their Duty in their reſpective Pariſhes, ſuch as ſhall be appointed them by the Juſtices and Veſtry. Pariſh Officers excepted.

CCLXXIII. And

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Penalty on Officers employing *Jews*, &c. to write in the publick Office.

CCLXXIII. AND be it further enacted by the Authority aforeſaid, That no *Jew*, Mullatto, *Indian*, or Negro, ſhall be capable to officiate or be employed to write in or for any of the above Offices upon any Pretence whatſoever: And every Officer in the ſaid Offices, or any of them, who ſhall ſuffer ſuch Perſon or Perſons, ſo incapaciatated to write or be employed in or for any of the ſaid Offices, for every ſuch Offence, contrary to the true Intent and Meaning of this Act, ſhall reſpectively forfeit the Sum of One hundred Pounds current Money of this Iſland; the one Half whereof ſhall be to the Uſe of her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Informer, or him or them that ſhall ſue for the ſame; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Law Bills to be taxed by the Clerk of the Court where the Actions were ſued.

CCLXXIV. AND be it further enacted by the Authority aforeſaid, That all Coſts at Law ſhall be taxed by the Clerk of the reſpective Courts where ſuch Actions ſhall be ſued, upon Application to him made, before any Lawyer or other Perſon ſhall pretend to aſk and demand ſuch Coſts, or take out Execution for the ſame: And whatſoever Lawyer ſhall offer any Bill of Coſts at Common Law or in Equity, or receive his Money thereon, not having been firſt taxed, as aforeſaid, ſhall reſpectively forfeit for every Offence the Sum of Five hundred Pounds; one Half whereof ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or to him or them that ſhall ſue for the ſame.

CCLXXV. AND that all Bills of Coſts in Chancery ſhall alſo be taxed by the Clerk of the Chancery, upon Application to him made.

Penalty on ſuch Clerk allowing greater Fees than are hereby directed

CCLXXVI. AND in caſe any Perſon or Perſons ſhall tax, inſert, or allow of any more or other Fees in any Bill or Bills of Coſts, ſo to be taxed, as aforeſaid, ſave what are before mentioned; every Perſon or Perſons, ſo taxing, inſerting, or allowing ſuch Fee or Fees, contrary to the true Intent and Meaning hereof, ſhall for every ſuch Offence forfeit the Sum of Five hundred Pounds; one Half to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to him or them that ſhall inform or ſue for the ſame.

Proviſo.

CCLXXVII. PROVIDED, That each Proſecution be within two Years after ſuch Offence given.

Proviſo.

CCLXXVIII. PROVIDED alſo, That it ſhall and may be lawful for the Maſters in Chancery to tax all ſuch Bills as ſhall be due to Lawyers upon Cauſes already determined, as formerly, according to the Rules of Court; provided ſuch Bills, as aforeſaid, be taxed within three Months after the Day of paſſing this Act.

Clauſes in former Acts relating to Fees repealed.

CCLXXIX. AND be it further enacted by the Authority aforeſaid, That all and every Clauſe and Clauſes (particularly enumerating Fees only) in any former Act or Acts for regulating Fees, ſhall be, and are hereby repealed, annulled, and made void to all Intents and Purpoſes whatſoever; any thing herein contained, or in any former Act to the contrary notwithſtanding.

Proviſo.

CCLXXX. PROVIDED always, and it is the true Intent and Meaning of this Act, That nothing herein contained ſhall be deemed or conſtrued ſo as to hinder or abridge any of the Judges of the ſeveral Courts within this Iſland to make, order, and eſtabliſh all ſuch Rules and Orders (adding and altering Fees only accepted) as ſhall be neceſſary for the well regulating the ſaid Courts, but they ſhall reſpectively have the ſame Powers therein as they ought or could have before the making of this Act; any thing herein contained to the contrary in any wiſe notwithſtanding.

№ 167. Private.

An Act to appoint and enable Commiſſioners to ſell and diſpoſe of Part of the Eſtate of William Burras, *late of the Pariſh of* Vere, *a Minor, deceaſed, for Payment of Legacies, and the Preſervation of the other Part of the ſaid Eſtate.*

№ 168. Expired.

An Act to appropriate ſeveral Sums of Money for the Maintenance of Priſoners of War, from the Firſt of May, 1711, *to the Firſt of* May, 1712: *And to enable ſeveral Pariſhes that have neglected to raiſe their Taxes, to raiſe the ſame.*

An

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An Act to prevent any Perſon from holding two or more Offices of Profit in this Iſland. N° 169. Repealed.

An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the Firſt of Auguſt, 1711, *to the Firſt of* November *next enſuing.* N° 170. Expired.

An Act for the further quieting Poſſeſſions, and preventing vexatious Suits at Law. N° 171.

WHEREAS by the Earthquake and Fire at *Port Royal*, and by many other Accidents, ſome Records of this Iſland have been utterly deſtroyed and loſt: And whereas ſeveral Titles, heretofore made, of Lands and other Things, by want of Skill and Knowledge in thoſe that drew Conveyances for the ſame, may admit of Diſputes and Suits in Law and Equity: To the Intent therefore that vexatious Suits, both in Law and Equity, may be prevented, the Inhabitants eaſed, and the publick Good advanced; be it enacted by the Governor, Council, and Aſſembly of this her Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That from and after the firſt Day of *November* next enſuing, all Poſſeſſors of Lands, Houſes, Tenements, Negroes, or other Hereditaments, by Virtue of any Patent, Deed, Aſſignment, or Conveyance whatſoever, made, or by Virtue of any Order formerly granted, who have been in the peaceable Poſſeſſion, without Suit, Claim, or Interruption, for the Space of ſeven Years before the making of this Act; or ſhall continue in ſuch Poſſeſſion from the firſt poſſeſſing of the ſame, by themſelves, or thoſe under whom they claim, for and during the Space of ſeven Years, ſhall have and enjoy ſuch Eſtate reſpectively, and hold the ſame in Fee againſt all Perſons whatſoever, and give this Act in Evidence, or plead it in bar in any Suit or Suits to be maintained by or brought againſt him, her, or them, by her Majeſty, her Heirs, or Succeſſors, or any Perſon or Perſons whatſoever, and againſt all and every Entry, Claim, and Demand whatſoever, which ſhall be, and are reſpectively barred hereby.

Perſons having had Eſtates in their Poſſeſſions ſeven Years without Interruption, ſhall afterwards hold them in Fee againſt all other Claimers.

II. PROVIDED nevertheleſs, That Infants, Women under Coverture, Perſons of Non-ſane Memory, and Perſons out of this Iſland, ſhall have Liberty, by themſelves, their Agents, or Attornies, to commence their Actions reſpectively within ſuch Times after the Diſability removed as are reſpectively herein after limited; that is to ſay, Infants, within five Years after they come to the Age of twenty one Years; Women under Coverture, within five Years after the Death of their immediate Huſbands; Perſons of unſound Memory, within five Years after they become of ſound Minds and Memories; and Perſons of full Age out of this Iſland, within five Years from the Date of this Act; or otherwiſe ſuch Perſons are hereby declared to be barred for ever, according to the true Intent and Meaning of this Act; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Proviſo.

III. PROVIDED alſo, That nothing in this Act contained ſhall be any ways deemed or conſtrued to extend to extinguiſh, bar, diſannul, or make void the Reſervation of any Rents and Services heretofore reſerved, or which hereafter ſhall be, or ought to be, or to have been reſerved to the Queen's Majeſty, her Heirs and Succeſſors, in and by any Letters-patent, for and in Reſpect and by Reaſon of any Lands, Tenements, or Hereditaments therein contained, or any Right accruing to her Majeſty in any Lands, Tenements, or Hereditaments, by any Forfeiture that may have been or ſhall be incurred by Reaſon of the Non-performance of Conditions in Deed or in Law, or the Covenants contained in any Grant or Grants of the Crown, made or to be made. Proviſo.

IV. PROVIDED alſo, That all Poſſeſſors or Proprietors of Lands, holding by Order, as aforeſaid, ſhall, within one Year after the paſſing of this Act, take out Patents for the ſame, and pay ſuch Quit-rents as ſhall be due thereupon, from the time of the great Earthquake, or otherwiſe ſhall not be intitled to any Advantage by this Act; any thing herein contained to the contrary notwithſtanding. Proviſo.

V. PROVIDED alſo, That this Act, or any thing herein contained, ſhall not extend to be deemed, taken, held, or conſtrued to extend to confirm to give Title to any Mortgage or Leaſes of any Lands, Negroes, or other Slaves, mortgaged or in Leaſe, or to any other Perſon or Perſons, to any Lands, Negroes, or other Slaves, by him, her, or them poſſeſſed, as Attorney or Guardian, or otherwiſe in Right of another, or to any particular Uſe, Truſt, Courteſy, Dower, Eſtate for Years, or for Life, or in Tail, or to any Perſon or Perſons whatſoever, claiming or to claim from, by, or under any Mortgages or Leaſes, Proviſo.

1711.

or to any Attorney or Guardian, or other Perſon ſeized or poſſeſſed, to the Uſe or in Truſt for another, or under ſuch Tenants by the Courteſy, in Dower, for Years, or for Life; but that the ſame remain and be, to all Intents and Purpoſes, as before the making of this Act; any thing herein contained to the contrary in any wiſe notwithſtanding.

Proviſo.

VI. PROVIDED alſo, That where there are two or more Patents for the ſame Lands and Tenements in Being, nothing in this Act contained ſhall extend or be conſtrued to extend to confirm the Right or Title of any latter Patentee, or of any Perſon or Perſons claiming from, by, or under him, to the Prejudice of any prior Patentee, or any Perſon or Perſons claiming from, by, or under ſuch prior Patentee.

VII. AND whereas, through the Neglect of many Perſons, Satisfaction hath not been entered of Record in due Form of Law upon Judgements obtained, though they have been fully ſatisfied: And to the End that vexatious Suits at Law in relation thereto may be prevented; and that all dormant Bills, Bonds, Judgements, and other Securities for Money which have not hitherto been, or ſhall not be legally demanded in a convenient Time, may become void, be it enacted, and it is hereby enacted by the Authority aforeſaid, That all Bills, Bonds, and Mortgages, whereon no Intereſt hath been paid, and Judgements, Recognizances, Fines, and Amerciaments, and all and every other Writing and Writings obligatory whatſoever, which have not been legally demanded within the Space of twenty Years laſt paſt, ſince the Dates thereof reſpectively, or ſince the laſt Payment of Intereſt upon ſuch Bills, Bonds, and Mortgages, and that ſhall not be legally demanded within the Space of five Years from and after the paſſing of this Act, ſhall be, and are hereby declared to be null and void, to all Intents, Conſtructions, and Purpoſes whatſoever; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Bonds, &c. whereon no Intereſt hath been paid for the Space of twenty Years, &c. are null and void.

VIII. AND be it further enacted by the Authority aforeſaid, That all Bills of Sale, Deeds, and other Conveyances whatſoever, at any Time heretofore made, and duly executed, acknowledged, proved, and recorded, purſuant to the true Intent and Meaning of an Act of this Iſland, intituled, *An Act for Prevention of Law-ſuits*, although no valuable Conſideration be therein reſpectively inſerted; and all Deeds and other Conveyances whatſoever, herein after to be made for valuable Conſideration, of any Lands, Tenements, Negroes, and Hereditaments within this Iſland (excepting ſuch as have or ſhall be made by Infants during their Infancy, and Perſons of non-ſane Memory, during the time they continue ſo) ſuch Lands, Tenements, Negroes, and Hereditaments are hereby enacted and declared to have paſſed and to be conveyed by the ſame as fully, to all Intents and Purpoſes, as any Real Eſtate in the Kingdom of *Great Britain* might or could paſs by Fine and Recovery in her Majeſty's Court of *Common-pleas* in *Weſtminſter-hall*; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Bills of Sale, &c. duly executed and recorded, are hereby declared ſufficient to convey away the Right to Negroes or Eſtates.

№° 172. Repealed. *An Act to prevent hawking, and diſpoſing of Goods clandeſtinely.*

№° 173. Expired. *An Act for raiſing an additional Duty and Impoſt; and appropriating Money for ſeveral Uſes, from the Firſt of* Auguſt, 1711, *to the Firſt of* November *next enſuing.*

№° 174. Expired. *An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the Firſt of* November, 1711, *to the Firſt of* November, 1712.

№° 175. Expired. *An Act for raiſing an additional Duty and Impoſt; and appropriating Money for ſeveral Uſes, from the Firſt of* November, 1711, *to the Firſt of* November, 1712: *And alſo for the further enabling ſeveral Pariſhes of this Iſland to aſſeſs and levy Taxes appointed to be raiſed by former Acts of the Governor, Council, and Aſſembly of this Iſland: And for the Relief of the Pariſhes of St.* George *and St.* James.

An

An Act for making Provision for Prisoners of War, from the First of December, 1711, *to the First of* December, 1712; *and for paying Money for several Uses.* 1711. N° 176. Expired.

An Act to disenable any Member of the Council, or of the Assembly of this Island, from acting as Commissioner for receiving any publick Money, raised or to be raised by the Governor, Council, and Assembly of this Island; and to disenable any such Commissioner to be a Member of the Council, or of the present or any future Assembly of this Island. N° 177. Repealed.

An Act for regulating Fowling and Fishing. N° 178.

WHEREAS several Persons within this Island do frequently use evil and ill-disposed Methods of destroying the Fish in and about this Island; and also destroy the Pigeons at an unseasonable Time of Year, which much redounds to the Prejudice of the poorer Sort of Inhabitants of this Island: We, your Majesty's most dutiful and loyal Subjects, the Governor, Council, and Assembly of this your Majesty's Island of *Jamaica*, do most humbly beseech your Majesty that it may be enacted, and it is hereby enacted by the Authority of the same, That no Person or Persons whatsoever shall for the future, by himself, Servant, or Slave, destroy any Fish in any Harbour, Bay, Creek, or River within this Island, by any Method of poisoning or intoxicating whatsoever; nor set Fish-pots in, or make any Wear or Stops over any River or Creek within this Island, unless the Land on the Side of the said River or Creek belong to themselves, excepting the Creek of the *Bogne*, in the Parish of *Vere*, where no Fish-pots shall be set, nor no Wear made over any Part thereof; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

No Person to destroy any Fish in any Harbour, &c. unless the Land on the Side of the River, &c. belong to him.

II. And that no Person or Persons whatsoever do, by themselves, Servants, or Slaves, from and after the first Day of *January* next ensuing, make use of any Seane, Net or Nets, or Engine for catching of Fish in any Harbour, Bay, River, Creek, or Pond, in or about this Island, with less Meshes than one Inch and a quarter between Knot and Knot of any such Net or Nets so made use of, excepting Shrimp Nets, which shall not be above two Fathoms and a half long: And that no Person or Persons whatsoever presume to join two or more together for catching the same; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

No Person to use any Seane, &c. for catching Fish with less Meshes than one Inch and a quarter between Knot and Knot;

III. And it is hereby further enacted by the Authority aforesaid, That no Person or Persons whatsoever, by himself, Servant, or Slave, shall for the future destroy any Turtle Eggs in or upon any Part of this Island, or in or upon any Island or Quays belonging to the same; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

nor destroy any Turtle Eggs;

IV. And it is hereby further enacted by the Authority aforesaid, That no Person or Persons whatsoever, by himself, Servant, or Slave, shall for the future kill any wild Pigeons, young or old, within the Parishes of St. *Catharine* and St. *John*, nor on any of the several Islands or Quays belonging to this Island, in the Months of *May*, *June*, and *July*; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

or kill wild Pigeons.

V. And it is hereby enacted by the Authority aforesaid, That whosoever shall offend contrary to the true Intent and Meaning of this Act, shall for every Offence, being convicted thereof before any Magistrate of this Island, forfeit the Sum of Forty Shillings; one Half whereof shall be to the Poor of the Parish where such Offence is committed, and the other Half to the Informer, or him that shall complain or inform of the same.

Penalty on Persons offending against this Act;

VI. And if any Negro, Mulatto, *Indian*, or Slave, shall offend contrary to the true Intent and Meaning of this Act, he shall receive thirty nine Lashes on the bare Back for every such Offence, being convicted thereof before any Justice of the Peace within this Island; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

and Punishment on Negroes, &c.

An

1711. N° 179.

An Act for the better ſecuring the Eſtates and Intereſt of Orphans and Creditors; and to oblige Executors to give Security, and to return Appraiſements into the Secretary's Office of this Iſland.

WHEREAS, through the Neceſſity of ſending the Youth of this Iſland to *Great Britain* for Education, very many have conſiderably ſuffered in their Eſtates, by the Death of their Anceſtors during their Abſence, for want of Inventories being returned into the Secretary's Office of the Perſonal Eſtate their Anceſtors were poſſeſſed of at the Time of their Death: And whereas it has frequently happened, that during the Abode of ſuch Youth in *Great Britain* (which often continues for Ten or Fifteen Years) not only their immediate Anceſtors, but the Executors of ſuch Anceſtors have died, whereby their Eſtates have fallen into the Hands, and under the Management of Executors or Adminiſtrators to ſuch Executors, who have been Strangers to the firſt Teſtators; and no Inventory having been made by the Executors, it has been impoſſible to diſcover the Teſtator's Eſtate: And ſuch Orphans at their Return to this Iſland have found their Eſtates very much waſted and impaired; and ſome have been entirely ruined, notwithſtanding that Parents have died poſſeſſed of very large Perſonal Eſtates.

II. AND whereas it is uſual and cuſtomary for Merchants in *Great Britain* to entruſt Cargoes with Perſons whom they ſend hither as their Factors, for the Diſpoſal thereof, and who come to advance their Fortune in this Iſland, and to ſettle and become Inhabitants here, which has brought many People, and been of great Advantage to the Settlement of this Iſland; but the ſame having received great Diſcouragement likewiſe, by the Death of ſome of the ſaid Factors, who having made their Wills, and their Executors not having returned any Inventories of their Goods, it has been impoſſible for their Principals in *Great Britain*, by their Agents or Attornies here, to diſcover the ſame, or recover the Value thereof, though they might otherwiſe have reaſonably expected to have been conſiderable Gainers by their Adventure, which has tended to the great Diſcouragement of Trade in general, as well as the particular Loſs of many Merchants, Adventurers to this Iſland, as alſo to the preventing of Peoples coming to ſettle amongſt us, from the Diſcredit it brings upon the Inhabitants here: For the Prevention of which, and ſuch like Inconveniencies for the future, be it enacted by her Majeſty's Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That all and every Executor and Executors for the future, when the Will of any Teſtator is by him or them exhibited to be proved, ſhall anſwer upon Oath to the Value and Circumſtances of the Teſtator's Teſtamentary Eſtate to the beſt of his or their Knowledge, and ſhall, at the Diſcretion of the Ordinary, not only take the Oath of an Executor, but give ſuch Security as the Ordinary ſhall direct in the Secretary's Office, to return a juſt Inventory of the Teſtator's Eſtate, with an Appraiſment thereof upon Oath, within ſuch Time as ſhall be limited by the Ordinary for the time being; any Law, Statute, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Executor to anſwer upon Oath the Value and Circumſtances of the Teſtator's Teſtamentary Eſtate.

III. PROVIDED always nevertheleſs, That ſuch Examination and Oath may be taken by any Perſon or Perſons lawfully authorized by virtue of a *Dedimus* from the Ordinary where the Party ſhall happen to be indiſpoſed or incapable to attend (through Age or other Infirmity) and where the Ordinary ſhall think fit to grant ſuch *Dedimus*; any thing in this Act to the contrary thereof contained in any wiſe notwithſtanding.

Proviſo.

IV. AND whereas ſeveral Orphans Eſtates have been let out to Leaſe during their Minority, without any Security given for the returning or making good the Slaves and perſonal Eſtates ſo leaſed, at the Expiration of ſuch Leaſe or Leaſes, whereby ſeveral poor Orphans have been utterly undone: For the Prevention therefore of the like undue Practices for the future, be it further enacted by the Authority aforeſaid, That all Guardians, Executors, Adminiſtrators, or other Perſon or Perſons whatſoever, who are impowered to leaſe out any Orphan's Eſtate, ſhall be obliged to take good and ſufficient Security of the Leſſee or Leſſees for the making good or returning all ſuch Slaves and other Perſonalty as ſhall be ſo leaſed by them at the Expiration of ſuch Leaſe or Leaſes; and that all Guardians, Executors, Adminiſtrators, or other Perſon or Perſons, who ſhall for the future leaſe out any Orphan or Orphans Eſtate, ſhall annex to the Leaſe a Schedule of all the Slaves and perſonal Eſtate ſo leaſed, and record the ſame in the Secretary's Office of this Iſland within three Months after the executing ſuch Leaſe or Leaſes, under the Penalty that all ſuch Leaſe or Leaſes ſo made of Orphans Eſtates, by Perſons, as aforeſaid, which ſhall not be recorded within the Time herein before prefixed in Manner as aforeſaid: And for the due Performance thereof, on the Part of the Leſſee, Security ſhall not have been given, ſhall, from and after the Expiration of the ſaid three Months, be utterly void, as if the ſame had never been made; any Law, Statute, or Uſage to the contrary notwithſtanding.

Guardians, *&c.* obliged to take ſufficient Security of the Leſſee, *&c.* for the returning ſuch Slaves or other Perſonalty as ſhall be leaſed, at the Expiration of the Leaſe.

An

1712.

An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the Firſt of November, 1712, *to the Firſt of* November, 1713, *if the Regiment now here in Pay ſhall ſo long continue in this Iſland.*

№ 180. Expired

An Act for raiſing an additional Duty and Impoſt, from the Firſt of November, 1712, *to the Firſt of* November, 1713; *and for appropriating Money for ſeveral Uſes: And alſo for the Relief of the Pariſhes of St.* George *and St.* James.

№ 181. Repealed.

An Act to encourage white Men to come to continue and ſettle in this Iſland.

№ 182.

WHEREAS it will be a very great Benefit and Advantage to this Iſland, by all proper Ways and Means, to bring white Men to, and to encourage ſuch as are already here to continue and ſettle in this Iſland: And whereas Wherries, Sloops, Boats, and Canoes, which ply for Fare and carry Goods for Hire from and within the Harbours, Creeks, and Rivers in this Iſland, are chiefly managed by Slaves, to the great Diſcouragement of poor white Men and other free Perſons: For the Prevention whereof for the future, and to the Intent that all due Regard may be had to white Men, and Encouragement given to them to come to continue and ſettle in this Iſland; be it enacted and ordained by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That within one Month after the paſſing of this Act, one white Man ſhall conſtantly ply and be employed in each Wherry-boat and Canoe plying for Fare from, in, or to any Harbour or Place in this Iſland (Water Canoes only excepted.)

One white Man to be employed in every Boat,

II. AND be it further enacted by the Authority aforeſaid, That all Sloops and Boats which ply and carry Goods for Hire to, from, or within any Harbour, Bay, River, Creek, or Place in this Iſland, ſhall always be navigated with two white men, and the reſt of the Crew to be made up of white Men, free Mulattoes, and free Negroes; only one Slave, and no more, may be employed in each ſuch Sloop or Boat.

and two in every Sloop, &c. carrying Goods for Hire;

III. AND whereas it will be neceſſary, for the better Preſervation of Goods to be landed at and on the ſeveral publick Wharfs, Bays, Barkadiers, and Landing-places of this Iſland, that a proper Number of white Men may be employed thereon reſpectively; be it further enacted by the Authority aforeſaid, That there ſhall be kept one or more white Men for and upon every ſuch publick Wharf, Barkadier, and Landing-place; and that there ſhall be only kept and employed three Slaves for and with any or every white Man, and no more, the Names of which white Men and Slaves ſhall be duly given in upon Oath by the Wharfinger, chief Manager, or Perſon immediately receiving Profit by ſuch Wharf, Bay, Barkadier, or Landing-place, at every Quarter-ſeſſions to be held for the Pariſh or Precinct where ſuch Wharf, Bay, Barkadier, or Landing-place reſpectively are; which Oath the Juſtices in Quarter-ſeſſions are hereby impowered and required to adminiſter; and whoſoever ſhall either neglect to take ſuch Oath, or, after having taken ſuch Oath, ſhall be found guilty of having ſworn untruly, every ſuch Perſon ſo offending ſhall (beſides other Puniſhments to be inflicted by the Law) be liable to ſuffer three Months Impriſonment for every ſuch Offence; or, in lieu thereof, ſhall forthwith, upon Conviction, pay the Sum of Fifty Pounds; the one Half thereof to the Uſe of the Informer, and the other Moiety, or Half Part thereof, to the Poor of the Pariſh where ſuch Offence ſhall be committed; to be paid for them into the Hands of the reſpective Church-wardens, or one of them, who are hereby impowered to demand and receive the ſame.

and one on every Wharf where Goods are landed, &c.

IV. AND be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Sloop, Boat, or Canoe, carrying Goods for Freight or Hire, paying the uſual

Veſſels may unload their Goods at any public Wharf

1712.

uſual Rates, to land ſuch Goods at, or carry them from any publick Wharf, Barkadier, or Landing-place; and that the Perſons belonging to ſuch Wharfs, Barkadiers, or Landing-places, ſhall be, and are hereby required to permit the ſame: And whoſoever ſhall offend contrary to the true Intent and Meaning of this Act, ſhall, for every ſuch Offence, forfeit the Sum of Forty Shillings; to be recovered before any Magiſtrate of the Pariſh or Precinct where ſuch Offence is committed.

Boat-hire.

V. AND be it further enacted by the Authority aforeſaid, That within one Month after the Day of paſſing this Act, the Fare and Hire of a Wherry with two Oars, between *Port Royal* and *Kingſton*, ſhall be four Ryalls; and between *Port Royal* aforeſaid and *Paſſage Fort*, the like Sum of four Ryalls; and between *Kingſton* aforeſaid and *Paſſage Fort*, the Sum of ſix Ryalls; and from *Port Royal* or *Kingſton* to the ſeveral Places following, the Hire and Fare of ſuch Wherries with two Oars ſhall be as follows, *viz.* To St. *James's Fort*, five Shillings; to *Bull Bay*, ten Shillings; to *Yallows*, twenty Shillings; to *Morant*, or *Port Morant*, forty Shillings; to *Old Harbour*, *Pig Bay*, the *Bogne*, or *Salt River*, one Pound, and ſo in Proportion; that is to ſay, one Half more than the Prices reſpectively, as aforeſaid, for Wherries with four Oars.

How long Wherrymen are to ply.

VI. AND be it further enacted by the Authority aforeſaid, That ſuch Wherrymen, as aforeſaid, ſhall be, and are hereby obliged to ply from Break of Day to Eight o'Clock at Night, under the Penalty (if he be a white Man) that he ſhall forfeit ten Shillings; and if he be a Negro, he ſhall ſuffer thirty one Laſhes, to be ordered reſpectively by any Magiſtrate, before whom Complaint ſhall be made.

Owners of Wharfs to keep Scales for the weighing of Goods.

VII. AND be it further enacted by the Authority aforeſaid, That Weights and Scales ſhall be kept by all Owners or Perſons employed for the keeping of publick Wharfs, Barkadiers, Bays, and Landing-places in this Iſland, to weigh, if required, all Sugar, Indigo, Piemento, Cotton, and other Plantation Goods, which ſhall come to ſuch Wharf, Bay, Barkadier, or Landing-place, and the Weight thereof reſpectively ſhall be entered into a Book at each Place to be kept for that Purpoſe; and for ſuch weighing and entring into ſuch Books, as aforeſaid, they ſhall be paid fifteen Pence for every Hogſhead, and ſeven Pence Halfpeny for every Draught, be it more or leſs, of other Goods of all Sorts which ſhall be ſo weighed and entered, as aforeſaid: And all Wharfingers and other Perſons which ſhall receive any Benefit at any ſuch Wharf, Barkadier, or Landing-place, ſhall give, or take Care that Receipts be given for all Goods which ſhall be delivered to them by any Perſon demanding the ſame, ſuch Goods having been firſt weighed, as aforeſaid: And whoſoever ſhall offend, either by neglecting to procure ſuch Scales and Weights, or in not weighing the Goods delivered to them, and entering the ſame in a Book, as aforeſaid, or not giving ſuch Receipts, as aforeſaid, upon Demand; every Perſon ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of Twenty Pounds; to be recovered in the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Coach Hire,

VIII. AND be it further enacted by the Authority aforeſaid, That the Owners or Proprietors of any Hackney Coach or Coaches, Chariots, and four Wheel Chaiſes, which ſhall ply upon the Road for Hire, ſhall have one white Man for each ſuch Hackney Coach or Coaches, Chariot, or Chaiſe which ſhall ſo ply for Hire; and the Hire and Fare ſhall be as follows, *viz.* For each Coach to and from *Paſſage Fort* to *Spaniſh Town* and back again, that carries four Paſſengers, thirty Shillings; for each Coach that carries three Paſſengers, five and twenty Shillings; and for two Paſſengers, or for one Paſſenger in any ſuch Hackney Coach, Chariot, or Chaiſe, twenty Shillings, and no more.

and Cart Hire.

IX. AND be it further enacted by the Authority aforeſaid, That the Owners of all Carts or Waines that ſhall carry Goods for Hire, ſhall be obliged to keep one white Man for the Firſt Cart or Waine, and one white Man more for every two ſuch Carts or Waines they ſhall keep beſides the firſt, to go forwards and backwards with ſuch Carts and Waines; and that the Fare and Hire for ſuch Cart and Waine ſhall be as follows, *viz.* For each Hogſhead of Sugar, five Shillings; for each Barrel of Beef, Flour, Herrings, or Mackarel, the Sum of one Shilling and three Pence, and ſo in Proportion for Carriage of other Goods from *Spaniſh Town* to *Paſſage Fort*, and no more.

Owners of Hackney Coaches, *&c.* to give upon Oath an Account of the Number of Coaches by them kept, and the Drivers Names.

X. AND the Owner of each ſuch Hackney Coach, Chariot, or Chaiſe, as aforeſaid, and of each Cart and Waine, or ſome Perſon for him or her, ſhall give in an Account upon Oath at each Seſſion of the Number of Hackney Coaches, Chariots, Chaiſes, Carts, and Waines which they keep reſpectively, and of the Names of the white Man or Men particularly kept for each Hackney Coach, Chariot, Chaiſe, Cart or Carts, Waine or Waines; which Oath the Juſtices at each Seſſion are hereby impowered to adminiſter and receive: And whoſoever ſhall offend contrary to the Intent of this Act, either in not keeping ſuch white Man for each ſuch Coach or Coaches, Chariot, Chaiſes, Cart or Waine, or in not making ſuch Oath, for every ſuch Offence ſhall forfeit the Sum of Ten

Ten Pounds; the one Half Part thereof to the Uſe of her Majeſty, her Heirs, and Succeſſors, and the other Moiety to him or them that ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding; to be recovered as aforeſaid. 1712.

XI. And whereas Goods, Wares, and Merchandizes, are frequently purloined, ſtolen, and embezilled, by Perſons that ply in Sloops, Canoes, and Boats that carry the ſame for Hire, and by Perſons belonging to publick Wharfs, Barkadiers, and Landing-places: For Prevention whereof for the future, and for the making Satisfacton to ſuch Perſons as may be damnified by ſuch purloining, ſtealing, or embezilling Goods, as aforeſaid, be it enacted by the Authority aforeſaid, That any Perſon thinking himſelf aggrieved, or any one in his Behalf, may, upon Application to any Juſtice of Peace of the Precinct, have a Warrant for any Perſon or Perſons belonging to any ſuch Sloop, Canoe, or Boat, publick Wharf, Barkadier, or Landing-place, where Goods are ſuſpected to be purloined, ſtolen, or embezilled, to bring them before a Magiſtrate, and there to oblige them to ſwear what Goods and how much were ſo purloined, ſtolen, or embezilled; which Oath ſuch Juſtice is hereby impowered and required to adminiſter: And whoſoever ſhall refuſe to take ſuch Oath, ſhall forfeit Twenty Pounds; to be recovered as aforeſaid: And whoſoever ſhall be convicted by ſuch Confeſſion upon Oath, ſhall forfeit double the Value of the Goods ſo purloined, ſtolen, or embezilled, to the Party aggrieved; to be recovered as aforeſaid.

Clauſe to prevent embezilling of Goods on board Veſſels, &c.

XII. Provided nevertheleſs, That ſuch Confeſſion upon Oath ſhall not be given in Evidence to charge any Perſon with Felony, or in any Action of Treſpaſs, or other Action at Law; nor in any other Manner, ſave only to make ſuch Perſon liable to the ſaid Forfeiture, and for no other Intent or Purpoſe whatſoever; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Proviſo.

An Act for preſerving the publick Records of this Iſland. N° 183.

WHEREAS the publick Records of this Iſland have received great Damage by Length of Time, frequent Searches, and the late violent Hurricane; which, of Neceſſity muſt very much increaſe, if timely Care be not taken to prevent it, to the great Prejudice of the Inhabitants of this Iſland: For the better Security and Preſervation of the ſame for the future, be it enacted by the Governor, Council, and Aſſembly of this her Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the Secretary of this Iſland, or the Perſon tranſacting or officiating as his Deputy, and the Clerk of the Supreme Court of Judicature of this Iſland, or the Perſon tranſacting or officiating as his Deputy for the time being, do, and are hereby required, as ſoon as poſſible, and with all due Care, to look over the ſeveral Books of publick Records lodged in their reſpective Offices, and forthwith agree for the new binding, with good and ſubſtantial Leathern Covers, all ſuch Books of publick Records in their reſpective Offices, which they ſhall find to have Occaſion for the ſame, at ſuch Rates and Prices as the Commiſſioners, in this Act hereafter mentioned, ſhall allow of and approve.

Secretary to look over the Records of this Iſland, and to direct the ſubſtantial binding of them.

II. And whereas ſeveral Deeds, Patents, Plats, and other Papers, in ſeveral Offices of this Iſland, are much worn, torn, and defaced; be it further enacted by the Authority aforeſaid, That whatever ſuch Deeds, Plats, Patents, or other Papers ſhall be thought neceſſary by the Commiſſioners herein after appointed, and the Officers of each Office aforeſaid, for his reſpective Office to be tranſcribed or new copied, the ſaid reſpective Officers ſhall cauſe the ſame, as ſoon as conveniently they can, to be ſo tranſcribed or new copied, taking due Regard, with all poſſible Exactneſs, to imitate the Original, leaving Blank and due Spaces for all ſuch Writings, Lines, and other Matters, as either become not legible or unintelligible: Which ſaid ſeveral Tranſcripts, or Copies of Deeds, Plats, Patents, or other Papers, ſhall be deemed, and are hereby declared to be valid and effectual Records, to all Intents and Purpoſes whatſoever, as the original Records themſelves were before the making of this Act.

Copies of Deeds, &c. may be made for the publick Offices, if thought neceſſary.

III. Provided nevertheleſs, That the Officer of each publick Office of Record in this Iſland ſhall, with all poſſible Care, in the moſt cautious Manner, preſerve the ſaid original Records in his ſeveral and reſpective Office, and make Oath before the chief Juſtice of this Iſland for the time being, (who is hereby impowered and required to adminiſter the ſame) That the ſaid ſeveral Tranſcripts and Copies made in his reſpective Office are true and exact Copies of their ſeveral original Records, before the ſaid Tranſcripts or Copies ſhall be deemed as valid and effectual Records, as aforeſaid: Which ſaid Commiſſioners, and each of them, before he or they ſhall do any thing herein appointed, ſhall alſo take an Oath before the Chief Juſtice of this Iſland in the Words following, *viz.*

Proviſo.

I A. B.

1712. Commiſſioner's Oath.

I A. B. *Commiſſioner, appointed by an Act, intituled,* An Act for preſerving the publick Records of this Iſland, *do ſwear well and truly to execute the Truſt repoſed in me by the ſaid Act, without Prejudice, Favour, or Affection to the reſpective Officers in the ſaid Act mentioned, according to the beſt of my Skill and Knowledge.* So help me God.

Patents, &c. of every pariſh to be entered in a Book.

IV. And whereas the Patents and Plats in the Patent Office of this Iſland have been kept in looſe and ſingle Papers, many of which are very much torn and defaced; be it enacted by the Authority aforeſaid, That the Clerk of the Patents, or the Perſon tranſacting or officiating as his Deputy for the time being, do and is hereby required to procure, as ſoon as poſſible, a diſtinct Book for each Pariſh of this Iſland, well bound with a good and ſubſtantial Leathern Cover, wherein he ſhall and is hereby required to tranſcribe and copy the Patents and Plats of each diſtinct Pariſh, and make them agree with the Originals, as is before required, and likewiſe keep the ſaid Originals of the ſaid Patents and Plats as is before directed: Which ſaid Clerk of the Patents is hereby likewiſe required to provide a diſtinct Book, wherein to keep an Alphabet of the Names of the Patentees of the ſeveral Patents above mentioned.

Clerk of the Supreme Court to keep an Alphabet of all former Patents, &c.

V. And whereas ſeveral Patents and Plats have been formerly recorded in the Office of the Clerk of the Supreme Court of this Iſland; be it enacted by the Authority aforeſaid, That the ſaid Clerk of the Supreme Court do, and is hereby required to procure a Book, well bound with a good and ſubſtantial Leathern Cover, and therein to keep an Alphabet of all ſuch Patents, Plats, and Conveyances as have been recorded in his ſaid Office.

Preſſes, &c. to be provided for preſerving the publick Records.

VI. And for the further and better Preſervation of the publick Records for the future, be it enacted by the Authority aforeſaid, That the reſpective Officer of each ſuch publick Office ſhall provided a convenient Preſs or Preſſes for all the Books and Papers belonging to his Office, having good Doors with Locks and Keys: And that no Officer as aforeſaid, ſhall for the future preſume to enter or tranſcribe any of the publick Records of this Iſland in any Book but what ſhall be bound with a good ſubſtantial Leathern Cover; and each of the ſaid Officers ſhall and are hereby obliged and required, as ſoon as poſſibly they can, to provided and procure for all the ſaid Books already lodged in their reſpective Offices, and ſuch as they ſhall have Occaſion for, for the future, a double or falſe Cover for their better Preſervation.

An alphabetical Liſt to be kept of the Names of Perſons, Parties to the Records.

VII. And that the Secretary of this Iſland, as ſoon as poſſibly it may be done, provide two diſtinct Books, and in each of them keep an Alphabet of the Names of the ſeveral Perſons, Parties to the Records kept in his Office; to wit, in the one the Name of each Grantor, Feoffor, Donor, &c. and in the other the Name of each Grantee, Feoffee, Donee, &c. leaving a diſcretionary Room between each Letter of the ſaid Alphabet, for inſerting ſuch a Number of Names as may make it of Uſe and Service for ſome conſiderable Time to come.

Commiſſioners appointed to enforce this Act.

VIII. And be it further enacted by the Authority aforeſaid, That *Samuel Vaſſal*, *William Careleſs*, and *Thomas Roſe*, Eſqrs. or any two of them, be and are hereby appointed Commiſſioners reſpectively, to perform and execute the ſeveral Truſts and Confidences in them, by this Act repoſed; who are hereby further authorized and impowered to agree with the Workmen and Perſons to be employed, as aforeſaid, and likewiſe eſtimate and ſet a Value on whatever further Charges or Expences the ſaid ſeveral Officers ſhall be at in Execution of the ſeveral Premiſſes of them by this Act required, which ſaid Officers are hereby required to execute and perform the ſame; to be re-imburſed by a Fund to be raiſed, or an Appropriation for that Purpoſe to be made by this or any other Aſſembly of this Iſland.

Penalty on Officers neglecting their Duty.

IX And it is hereby further enacted, That whatſoever Officer or Officers of any of the publick Offices before mentioned, ſhall neglect his or their Duty, in not performing or complying with the ſeveral Particulars in this Act mentioned, ſhall, for each ſuch Offence, forfeit the Sum of One hundred Pounds; to be recovered by Action at the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

1713. 12° 184. Expired.

An Act for providing an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the Firſt of November, 1713, *to the Firſt of* May 1714, *and no longer.*

An

1713-14.

An Act for the more effectual Relief of the Freeholders and Inhabitants of Kingſton. № 185. Repealed.

An Act for aſcertaining the Number of Ports of Entry in this Iſland, and obliging Officers to keep Deputies at ſuch Ports; and to prevent all clandeſtine Trade. № 186. Repealed.

An Act for diſcharging the Arrears due to her Majeſty's Officers and Soldiers, for their additional Subſiſtence, from the Firſt of November, 1712, *to the Firſt of* November, 1713, *and paying off all Sums of Money becoming due by Virtue of the ſame.* № 187. Expired.

An Act for the more eaſy ſerving of Conſtables.

1715. № 188.

WHEREAS by the preſent Method of electing Conſtables, and by the great Number of commiſſioned and reformed Militia Officers, who pretend to be exempted from ſerving as Conſtables, the Burden of that Office has been chiefly laid upon a few, and thoſe of the middling Inhabitants of this Iſland, to the great Diſcouragement of the People, and to the driving of ſeveral out of this Iſland: For Remedy whereof, be it enacted by the Governor, Council, and Aſſembly, That from and after the firſt Day of *January* next, the Juſtices and Veſtymen for the time being, in their reſpective Pariſhes (except in the Pariſhes of *Port Royal*, St. *Catharine*, and *Kingſton*) ſhall hire good and ſufficient Men to ſerve as Conſtables for their reſpective Pariſhes: And the Juſtices and Veſtrymen in their reſpective Pariſhes are hereby impowered and required, at the uſual Times of aſſeſſing their Pariſh Tax, to aſſeſs, tax, and levy yearly, a Sum not exceeding Twenty Pounds for each Conſtable to be ſo hired, over and above the uſual Taxes aſſeſſed and raiſed on the ſeveral Pariſhes by virtue of an Act of this Iſland, intituled, *An Act for the Maintenance of the Miniſters and Poor, and erecting and repairing of Churches*; which Conſtables ſhall be ſo hired on the ſecond *Tueſday* in *February*, in the Pariſhes of St. *Dorothy* and St. *Thomas in the Vale*, and on the ſecond *Tueſday* in *January* in every other Pariſh, and ſhall give ſuch Security as ſhall be approved of by the Juſtices and Veſtrymen; any Law, Statute, Cuſtom, or Uſage to the contrary hereof in any wiſe notwithſtanding.

Juſtices, &c. of every Pariſh may hire Conſtables, and pay them 20 *l.* *per Annum* at the Pariſh Charge.

II. AND if the ſaid Juſtices and Veſtrymen ſhall neglect their Duty herein, they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland; one Half of which ſhall be to the Poor of the Pariſh, and the other Moiety to him or them that ſhall ſue for the ſame in any Court of Record within this Iſland.

Penalty on Juſtices, &c. neglecting their Duty.

III. PROVIDED always, That if the Juſtices and Veſtrymen in any Pariſh ſhall not be able to hire good and ſufficient Men to ſerve as Conſtables, that then Conſtables for ſuch Pariſh ſhall be choſen in the Quarter-ſeſſions as uſual.

Proviſo.

An Act for the effectual Diſcovery of all Perſons that are diſaffected to his Majeſty and his Government; and to prevent all ſuch Perſons holding any Office, &c. № 189. Repealed.

An Act to prevent all fraudulent Trade to Hiſpaniola, *and other Foreign Parts.* № 190. Repealed.

1716.

№° 191. *An Act to oblige ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People; and to maintain ſuch as ſhall come over within a certain Time, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.*
Repealed.

№° 192. *An Act for repealing an Act, intituled,* An Act for the better ſecuring the Eſtates and Intereſt of Orphans and Creditors; and to oblige Executors to give Security to return Appraiſements into the Secretary's Office of this Iſland; and for obliging Executors to return Inventories; and for ſecuring and improving the Eſtates of Orphans.
Repealed.

№° 193. *An Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charge of the Government; and applying the ſame to ſeveral Uſes.*
Expired.

№° 194. *An Act for granting a Supply to his Majeſty, to enable the Treaſury to diſcharge its Debts, and to anſwer the other Exigences of the Government.*
Expired.

№° 195. *An Act for granting further Relief in relation to proving of Wills and Teſtaments, and granting Letters of Adminiſtration of Inteſtate Eſtates.*
Repealed.

№° 196. *An Act to prevent Negroes being Evidence againſt* Dorothy, *the Wife, and* John, Thomas, *and* Francis, *Sons of* John Williams, *a free Negro.*
Private.

№° 197. *An Act to ſecure the Freedom of Elections, and directing the Proceedings in the Choice of Members to ſerve in Aſſemblies of this Iſland.*
Repealed.

№° 198. *An Act to prevent any one Man to hold and enjoy any two or more Offices of Profit in this Iſland.*
Repealed.

№° 199. *An Act to encourage the bringing over and ſettling of white People in this Iſland.*
Repealed and Expired.

1717.

№° 200. *An Act for Relief of Widows and Orphans, in relation to Deficiencies.*

WHEREAS by an Act of this Iſland now in Force, intituled, *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, and to maintain ſuch as ſhall come over within a certain Time, or pay certain Sums of Money*

Money in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes, among other things, it is therein enacted, That in each reſpective Pariſh within this Iſland, where there is not kept one white Man capable of bearing Arms, or a white Woman, Boy, or Girl, above the Age of fourteen, as ſhall hereafter arrive, in purſuance of the Act aforeſaid, for every twenty four Slaves, young or old, one hundred and twenty Horſes, Mares, Mules, Aſſes, and neat Cattle, ſhall pay the Sum of five Shillings *per* Week, and ſo in Proportion to a leſſer Number, not amounting to a Deficiency; provided, that every free Mulatto, above the Age of ſixteen, ſhall paſs for half a Deficiency: Since the paſſing of which ſome Hardſhips have accrued to ſeveral Widows and Orphans now reſiding in this Iſland, by being exempted from the Benefit of paſſing for a Deficiency: For Remedy whereof, be it enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That all Widows and Orphans reſiding in this Iſland, and upon their Plantations and Settlements, and not having ſuch a Number of Slaves as ſhall amount to a Deficiency, according to the true Intent and Meaning of the Act aboveſaid, ſhall and are hereby exempted from all and every the Impoſitions, Pains, Penalties, and Forfeitures, mentioned and contained in the above recited Act; any thing in the ſaid Law, or any other to the contrary notwithſtanding.

1717.

Widows, &c. not having ſuch a Number of Slaves as amount to a Deficiency, exempted from the Penalties in the former Act.

An Act for the more effectual puniſhing of Crimes committed by Slaves. N° 201.

WHEREAS by ſeveral Laws of this Iſland, the Puniſhment of Death is to be inflicted on Slaves for committing ſuch Crimes as by the ſaid Laws are declared; which Crimes often remain undetected, by the Omiſſion of the Owners or Proprietors proſecuting ſuch Slaves: For the encouraging therefore the Diſcovery of all Crimes that ſhall hereafter be committed by any Slave, as aforeſaid, be it enacted by the Governor, Council, and Aſſembly of this his Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That in all Caſes where any Slave ſhall be put upon his Trial by the Owner, Proprietor, or Perſon entruſted with ſuch Slave, and ſhall ſuffer Death by the Sentence of ſuch Perſons as are impowered to pronounce the ſame, ſuch Perſon ſhall likewiſe enquire of his, her, or their Value, and certify the ſame under the Hands of the Majority of them (one of which ſhall be a Juſtice of the Peace) to the Commiſſioners for the time being, for paying of Parties to be ſent out for ſuppreſſing rebellious and runaway Slaves; which ſaid Commiſſioners ſhall, out of the Fund provided or to be provided for that Purpoſe, pay to the Owner or Owners, whoſe Slave or Slaves the ſame were before Conviction, the full Value, he, ſhe, or they were valued at by the ſaid Perſons who tried and condemned him, her, or them, the ſaid Slave or Slaves; which ſaid Sum the ſaid Commiſſioners ſhall pay to the ſaid Owner or Owners, in full Recompence of the Loſſes he, ſhe, or they have ſuſtained: And in all Caſes of Murder, the Owner or Owners of the ſaid Slave or Slaves killed, ſhall receive the full Value of ſuch Slave or Slaves, as well as the Owner or Owners of the Slave or Slaves executed for ſuch Murder.

Owner proſecuting his Slave, ſhall, if ſuch Slave be capitally convicted, receive the Value of him.

II. PROVIDED always, That no one Slave ſhall be appraiſed at above the Sum of Forty Pounds, current Money of this Iſland; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Proviſo.

III. AND be it further enacted by the Authority aforeſaid, That if the ſaid Commiſſioner (having Money ſufficient in his Hands) ſhall refuſe to pay ſuch Sum or Sums of Money as ſuch Slave or Slaves ſhall be appraiſed at, upon producing a Certificate as aforeſaid, the Owner, Proprietor, or other Perſon intruſted with ſuch Slave, may bring an Action of Debt in the Supreme Court for the ſaid Sum ſuch Slave or Slaves were valued at; whereupon the Plaintiff, on Judgement obtained, ſhall recover treble Damages againſt the ſaid Commiſſioner; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Commiſſioner not paying the Value of ſuch Slaves to the Owners of them, &c.

IV. AND be it further enacted by the Authority aforeſaid, That no Slave ſhall be diſmembered at the Will and Pleaſure of his Maſter, Owner, or Employer, under the Penalty of One hundred Pounds; to be recovered in any Court of Record againſt the Perſon who ſhall diſmember, or order the diſmembering of ſuch Slave or Slaves as aforeſaid; one Half whereof ſhall be to his Majeſty, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Half to ſuch Perſon or Perſons who ſhall inform and ſue for the ſame.

No Slave to be diſmembered at the Will of his Owner.

V. BUT if any Slave, having been one whole Year in this Iſland, ſhall run away, and continue abſent from his Owner's Service for the Space of Thirty Days, upon Complaint and Proof made of ſuch Abſence by the Owner, Attorney, Truſtee, or Guardian, before any two Juſtices of the Peace and three Freeholders within this Iſland, purſuant to the Method and Directions preſcribed by an Act, intituled, *An Act for the better Order and Government of Slaves*, it ſhall and may be lawful for ſuch Juſtices and Freeholders to order ſuch

Slave abſenting himſelf from his Owner's Service 30 Days, how to be puniſhed.

1717.

ſuch Slave to be puniſhed, by cutting off one of the Feet of ſuch Slave, or inflicting ſuch other corporal Puniſhment as they ſhall think fit.

The Puniſhment of a Slave for gaming.

VI. And be it further enacted by the Authority aforeſaid, That if any Slave or Slaves ſhall be ſeen playing with Dice, Cards, or at any other Game whatſoever, whereby any Profit or Gain may ariſe, that ſuch Slave or Slaves, ſo ſeen or taken playing or gaming, ſhall, upon Complaint to any Juſtice of the Peace, be whipped through the Streets of the Town where ſuch Offence ſhall be committed; and in ſuch Pariſh where no Town is, in the moſt publick Place thereof, the Owner or Owners of ſuch Slave paying the Charge of ſuch Whipping.

Penalty on Retailers of Rum, &c. ſuffering Negroes to drink or game in their Houſes.

VII. And whereas many and great Inconveniencies and Miſchiefs do and may ariſe and happen by the Retailers of Rum and Rum-punch entertaining of Negroes, and other Slaves drinking and gaming in their Houſes; be it therefore further enacted by the Authority aforeſaid, That no Retailers of Rum and Rum-punch, or other Liquors, from and after the firſt Day of *October* next, ſhall ſuffer any Negroe, or other Slave, to game or uſe any Sort of Play within their Houſes, or ſuffer any Slave or Slaves to meet to drink therein, under the Penalty of forty Shillings; to be recovered before any Juſtice of the Peace in the Pariſh where the Offence ſhall be committed; one Half whereof ſhall be to ſuch Perſon as ſhall inform or ſue for the ſame, the other Half to the Poor of the Pariſh where the Offence ſhall be committed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Overſeer, &c. of Plantations ſuffering above five Negroes to aſſemble thereon at a time, &c.

VIII. And whereas the permitting or allowing of any Number of ſtrange Negroes to aſſemble on any Plantation or Settlement, or any other Place, may prove of fatal Conſequence to this your Majeſty's Iſland, if not timely prevented: And foraſmuch as Negroes can, by beating on Drums, and blowing Horns, or other ſuch like Inſtruments of Noiſe, give Signals to each other at a conſiderable Diſtance of their evil and wicked Intentions; be it further enacted, That in one Month's Time after the paſſing of this Act, no Proprietor, Attorney, or Overſeer, preſume to ſuffer any Number of ſtrange Negroes, exceeding Five, to aſſemble on his Plantation or Settlement, or on the Plantation or Settlement under the Care of ſuch Attorney, or Overſeer; nor ſhall any Proprietor, Attorney, or Overſeer, ſuffer any beating on Drums, Barrels, Goards, Boards, or other ſuch like Inſtruments of Noiſe on the Plantations and Settlements, as aforeſaid, under his or their Care, under the Penalties hereafter mentioned; that is to ſay, every Proprietor or Attorney that ſhall offend contrary to the true Intent and Meaning of this Act, ſhall for every ſuch Offence forfeit Ten Pounds, current Money of this Iſland; and every Overſeer that ſhall offend contrary to the true Intent and Meaning of this Act, ſhall for every ſuch Offence forfeit the Sum of Five Pounds of the like current Money: All which Forfeitures ſhall be recovered before any Two of his Majeſty's Juſtices of the Peace, by him, her, or them that ſhall complain of the ſame; the one Moiety or half Part to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges of the ſame; the other Moiety or half Part to the Perſon or Perſons complaining; any Law to the contrary thereof notwithſtanding.

which ſhall be levied by Warrant from a Juſtice of Peace.

IX. And be it alſo further enacted, That any Juſtice of the Peace, upon Complaint made to him of ſuch drumming, blowing of Horns, or other ſuch-like Noiſes or Concourſe of Negroes, ſhall, within two Days after ſuch Complaint at fartheſt, iſſue out a Warrant under his Hand and Seal, directed to the Conſtable or Conſtables of the ſaid Pariſh, to demand and receive from every Perſon ſo offending the Forfeitures mentioned in this Act; and upon Refuſal or Non-payment, to diſtrain on his or their Goods and Chattels, and the ſame to ſell at publick Outcry, after ſix Days Notice given, by affixing upon a Paper in the moſt publick Place of the ſaid Pariſh all ſuch Goods ſo diſtrained on, before they ſhall preſume to diſpoſe of the ſame, reſerving to him or themſelves ſix Pence in the Pound for his or their Trouble; and the Overplus, after ſuch Deductions, to be paid to the Owners.

Officers may enter all Places to prevent Negroes aſſembling.

X. And be it alſo enacted by the Authority aforeſaid, That all Officers, Civil and Military, ſhall be, and are hereby impowered and required to enter into any Plantation, Settlement, or any other Place, to ſuppreſs and prevent all Drumming and other Noiſes, or Concourſe of Negroes, as above mentioned; any Law to the contrary thereof in any wiſe notwithſtanding.

Penalty on Juſtices, &c. neglecting their Duty.

XI. And be it alſo enacted, That every Juſtice of the Peace, or Military Officer, that ſhall refuſe to do his or their Duty herein, ſhall, for every ſuch Default, forfeit Twenty Pounds current Money of this Iſland: And every Conſtable that ſhall neglect to do his or their Duty, according to the true Intent and Meaning of this Act, ſhall, for every ſuch Neglect, forfeit the Sum of Ten Pounds like current Money; every of which ſaid Forfeitures ſhall be one Half to the Informer, the other Half to the Poor of the Pariſh; to be recovered before any Two of his Majeſty's Juſtices of the Peace in the ſaid Precinct.

XII. And foraſmuch as the permitting of Mulattoes and Negroes to keep large Stock on Commons has occaſioned great Abuſes, they having deſtroyed the old Breeders, and marked the Young with their own Marks: Be it therefore further enacted by the Authority

rity aforeſaid, That no Mulatto or Negro (free Mulattoes, Negroes, and *Indians*; having Settlements, and ten Slaves thereon, always excepted) ſhall hereafter preſume to keep any Horſes, Mares, Mules, Aſſes, or neat Cattle whatſoever, on Penalty of forfeiting the ſame; to be recovered before any Juſtice of the Peace in the ſaid Pariſh; one Half of which ſhall be to the Informer, the other Half to the Poor of the Pariſh in which ſuch Offence ſhall be committed. 1717. Negroes &c. keeping Horſes &c. to forfeit the ſame.

XIII. PROVIDED nevertheleſs, That any two of his Majeſty's Juſtices of the Peace in every Precinct may licenſe, and they are hereby impowered to licenſe and permit any Mulatto or Negroe (not being a Slave) to keep any ſuch Stock during their good Behaviour; any thing in this, or any other Law to the contrary notwithſtanding. Proviſo.

XIV. AND to the Intent that it may be known who are free, and that ſuch as are ſo may be diſtinguiſhed from thoſe that are Slaves; be it further enacted by the Authority aforeſaid, That every free Mulatto, Negro, or *Indian*, not having a Settlement and ten Negroes thereon, ſhall furniſh him or herſelf with a Certificate of his or her being free, under the Hand and Seal of any Juſtice of the Peace where ſuch Negroe or other Slave ſhall live, and a publick Badge of a blue Croſs to be worn upon the Right Shoulder, to denote the ſame: And in caſe any ſuch Negro, Mulatto, or *Indian*, ſhall not be furniſhed with ſuch Certificate and Badge, it ſhall and may be lawful for any Perſon or Perſons to ſeize, apprehend, and take up ſuch Negro, Mulatto, or *Indian* (although free) and impriſon and uſe him or her as a Slave paſſing without a Ticket; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding. Free Negro to wear a Badge of a blue Croſs on his Right Shoulder, &c.

XV. AND be it further enacted by the Authority aforeſaid, That every Captain, or ſome other Commiſſion Officer, ſhall, at the Head of every reſpective Company and Troop in this Iſland, publiſh, or cauſe to be publiſhed, this preſent Act, on or before the firſt Day of *October* next, and once every ſix Months after, under the Penalty of Ten Pounds; to be recovered before any Two of his Majeſty's Juſtices of the Peace; one Half to the Informer, the other to the Poor of the Pariſh where ſuch Offence ſhall be committed. This Act to be read at the Head of every Company every ſix Months.

XVI AND be it further enacted, That the Secretary ſhall deliver a Copy of this Act, within one Month after the paſſing the ſame, to each and every Pariſh within this Iſland, for which he ſhall receive the Sum of Twenty Shillings from the reſpective Church-wardens of the ſaid Pariſhes (to be paid out of the publick Stock of the Pariſh) and no more; any thing in this Act, or any other to the contrary notwithſtanding. Secretary to deliver a Copy of this Act to every Pariſh.

An Act for the repairing, preſerving, and maintaining the Wall of Port Royal, *being now made uſe of as Part of his Majeſty's Fortifications.* N° 202.

WHEREAS by an Act of the Governor, Council, and Aſſembly of this Iſland (now in force) intituled, *An Act for raiſing a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland, and for maintaining and repairing his Majeſty's Forts and Fortifications*, it is, amongſt other Things, therein enacted, That the Sum of One thouſand two hundred and fifty Pounds, ariſing as therein declared, be yearly, and every Year, paid and appropriated unto the repairing, building, and rebuilding of his Majeſty's Forts and Fortifications: And whereas the Wall of *Port Royal* is of great Importance, as well for reſiſting the Enemy in Time of War, as alſo for preventing the Sea from breaking in on the Town of *Port Royal*, and is taken into Poſſeſſion by his Majeſty, and made uſe of as Part of his Majeſty's ſaid Fortifications; the Benefit of which Wall muſt be in time loſt, if not preſerved by maintaining and repairing the ſame; the great and unavoidable Charge whereof is repreſented as too great a Burthen on the Inhabitants of the ſaid Town, who are much impoveriſhed by the great Decay of all Trading; and Application having been made by the ſaid Inhabitants to this Aſſembly for granting them Aid in the Premiſſes: To the End therefore that the ſaid Wall may be at all Times hereafter maintained, preſerved, and kept in good Repair; we, your Majeſty's Aſſembly of this Iſland, do moſt humbly pray that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and by the Authority of the ſame, That the Sum of One hundred and fifty Pounds *per Annum*, Part of the ſaid One thouſand two hundred and fifty Pounds ariſing by the ſaid recited Act, be yearly, and every Year, paid by the Receiver-general for the time being, or ſuch Perſon as ſhall officiate in his Place, unto the Church-wardens of the Pariſh of *Port Royal*, and their Succeſſors; which ſaid Church-wardens of the Pariſh of *Port Royal*, and their Succeſſors, ſhall employ the Sum of One hundred and fifty Pounds *per Annum*, towards the repairing, preſerving, and maintaining the ſaid Wall at all times hereafter, and to no other Uſe, Intent, and Purpoſe whatſoever. 150 *l.* to be annually laid out in repairing the Wall of *Port Royal*.

1717.

The Church-wardens of *Port Royal* to lay out the ſaid Money.

II. AND be it further enacted by the Authority aforeſaid, That the ſaid Church-wardens of the Pariſh of *Port Royal*, and their Succeſſors, ſhall have, and they have by this Act full Power and Authority to lay out and expend the ſaid Sum of One hundred and fifty Pounds *per Annum*, for and towards the Uſes and Purpoſes for which the ſame are hereby given.

Proviſo.

III. PROVIDED, That ſuch Sums as ſhall be at any Time hereafter employed, laid out or expended by the ſaid Church-wardens and their Succeſſors, by Virtue of this Act, ſhall be ſo employed, laid out, or expended by the Advice and Conſent of the Juſtices and Veſtry of the ſaid Pariſh; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

№° 203. Repealed and Expired.

An Act for continuing an Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charge of the Government; and applying the ſame to ſeveral Uſes.

1718. №° 204. Expired.

An Act to oblige ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

№° 205.

An Act for the Encouragement of voluntary Parties to ſuppreſs rebellious aud runaway Negroes.

WHEREAS divers rebellious and runaway Slaves have formed themſelves into ſeveral Bodies; and of late have very much increaſed, by the Neglect of keeping up Standing-parties for the entire ſuppreſſing of them: And whereas the ſeveral Laws for that Purpoſe have hitherto proved ineffectual; be it therefore enacted by his Majeſty's Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful to and for his Majeſty's preſent Governor, or the Governor or Commander in Chief for the time being, or the Commanding Officer in every Pariſh, diſtant at leaſt twenty Miles from the Town of St. *Jago de la Vega*, by Warrant under his Hand and Seal, to commiſſion ſuch Perſon or Perſons as he ſhall think fit to command any Party or Parties that will voluntarily inliſt themſelves to go out in Purſuit of the ſaid rebellious and runaway Slaves.

Governor may commiſſion Perſonsto command Partiesto purſue runaway Slaves.

Clauſe for Encouragement of ſuch Parties.

II. AND to encourage all ſuch Perſons as are ſo commiſſioned, or ſhall ſo inliſt themſelves in ſo neceſſary a Work, be it further enacted by the Authority aforeſaid, That every ſuch Party ſo commiſſioned, ſhall have and receive for every rebellious Slave above the Age of fourteen, they ſhall take alive or kill, the Sum of Fifty Pounds current Money of this Iſland; to be paid them out of ſuch Fund or Funds as are or ſhall be applied to and for the Uſe of Parties; and ſhall alſo have and take to themſelves and their Heirs, every Boy, Girl, or Pick-a-ninny which they ſhall ſo take under the Age of Fourteen, together with all ſuch Plunder as they ſhall take from ſuch rebellious Slaves: Which ſaid Fifty Pounds, and Slaves under the Age of Fourteen, and Plunder, are and ſhall be, and are hereby declared to be in lieu and full of all other Pay and Encouragements given in and by four ſeveral Acts, intituled, *An Act for raiſing Parties to ſuppreſs rebellious and runaway Negroes*; and one other Act, intituled, *An Act for the more effectual raiſing Parties to purſue and deſtroy rebellious and runaway Slaves*; and one other Act, intituled, *An Act for the further Encouragement of Parties, and more ſpeedy Reduction of rebellious and runaway Slaves*; and one other Act, intituled, *An Act for the better Order and Government of Slaves*.

Hunter, &c. killing any rebellious Slave, to receive the ſame Reward, &c.

III. AND be it further enacted by the Authority aforeſaid, That if any Hunter, Slave, or other Perſon, ſhall kill or bring in alive any rebellious Slave, the Maſter of ſuch Perſon and Perſons ſhall receive the ſame, and the like Sum of Money, Rewards, and other Encouragements given to the ſaid voluntary Parties, as aforeſaid, paying to the ſaid Hunter, or Slave, Ten Pounds, and a Coat with a red Croſs on the Right-ſhoulder (excepting Hunters, hunting in the Pariſh of *Weſtmoreland*, who ſhall receive no Benefit by this Act, and who are totally excluded out of this Act) every ſuch Perſon producing a Certificate under the Hands and Seals of two Juſtices of the Peace of the Pariſh where ſuch Slave ſhall be

ſo

ſo brought in or killed, which ſhall intitle him to the Profits and Advantages ariſing by this Act. 1718.

IV. AND whereas great Incoveniencies happen to this Iſland, through ſeveral of the Negroes and other Slaves going off this Iſland to the *French* and *Spaniſh* Colonies: For Prevention whereof, be it enacted by the Authority aforeſaid, That all and every Negro or Negroes, Slave or Slaves, that ſhall attempt to go off this Iſland, and be taken in ſuch Attempt; and all and every Slave or Slaves that ſhall actually go off this Iſland to the *French* or *Spaniſh* Colonies, and return or be brought back to this Iſland; all and every ſuch Negro and Negroes, Slave and Slaves, ſo offending as aforeſaid, and being thereof convicted before two Juſtices and three Freeholders, ſhall ſuffer ſuch Pains and Puniſhments (according to the Nature of their Crime) as the ſaid Juſtices and Freeholders ſhall think fit. Negroes, &c. going off to the *French* Colonies, how to be puniſhed.

V. PROVIDED always, That nothing herein contained ſhall be conſtrued, deemed, or taken to extend to repeal, diſannul, or make void either or any of the ſaid four recited Acts, intituled as aforeſaid, or any Article or Clauſe therein; but the ſame ſhall remain in as full Force and Virtue as they were before the paſſing of this Act, except what relates to the Encouragements and Rewards given by the ſaid recited Acts. Proviſo.

An Act for the more immediate Relief of Parties; and for transferring of Money for ſeveral Uſes.

1719. № 206. Expired.

An Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charges of the Government; and applying the ſame to ſeveral Uſes.

№ 207. Expired.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

№ 208. Expired.

An Act to revive ſuch Parts of former Acts as relate to any Monies ſtill due to the Publick.

№ 209. Obſolete.

An Act to prevent the enticing or enveigling of Slaves from the Poſſeſſors; and for the preventing the Tranſportation of Slaves by Mortgagers and Tenants for Life and Years; and for regulating Abuſes committed by Slaves.

№ 210.

WHEREAS it hath been a Practice for People of this Iſland, under Colour or Pretence of Title, to entice and enveigle Negro and other Slaves from the Poſſeſſors of them; and them ſo enticed or enveigled away, to ſend off this Iſland, or hide or conceal them in remote and diſtant Parts from ſuch Poſſeſſors; whereby great Inconveniencies have happened, to the utter Ruin of ſeveral Orphans and other Inhabitants of this Iſland, and Decay of the planting Intereſt: For Remedy whereof, be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and declared by the Authority of the ſame, That no Perſon whatſoever ſhall take or detain any Negro or Slave who hath been in Poſſeſſion of another for the Space of Six Months without due Courſe of Law, upon Pain of forfeiting Forty Shillings to the Party aggrieved for every Day's Detainer. 40*s.* Penalty for every Day's illegal Detainer of another's Slave.

II. AND be it further enacted by the Authority aforeſaid, That upon Complaint made upon Oath to the Chief Juſtice of this Iſland, or to any two Juſtices of the Peace, of the detaining any Negro or Slave from ſuch Poſſeſſors otherwiſe than by due Courſe of Law, it ſhall and may be lawful for the Chief Juſtice, or the Juſtices unto whom ſuch Complaint ſhall be made as aforeſaid, to order the Offender and Offenders to reſtore the Negro or Slave detained, Chief Juſtice, &c. upon Complaint of ſuch Detainer, may order the Slave to be reſtored.

1719.

detained, and pay the Penalty and Forfeiture aforeſaid unto the Party grieved: And if any Perſon or Perſons ſhall refuſe or neglect to comply with, or perform ſuch Order hereafter to be made in the Grand Court for reſtoring of any Negro or Slave, he, ſhe, or they ſo refuſing or neglecting the ſame, ſhall, for every ſuch Offence, forfeit the Sum of Fifty Pounds to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and be committed to the common Gaol until he, ſhe, or they have fulfilled ſuch Order, and paid the ſeveral Penalties and Forfeitures herein before mentioned.

Penalty on Chief Juſtice, &c. neglecting his Duty, touching ſuch Complaints.

III. AND be it further enacted by the Authority aforeſaid, That if the Chief Juſtice, or any Juſtices of the Peace, upon Complaint to him or them made as aforeſaid, ſhall refuſe, delay, or neglect doing his or their Duty herein, he or they ſhall for every ſuch Offence, his or their Neglect or Refuſal, forfeit the Sum of Fifty Pounds; one Half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety, or Half-part, to the Party grieved; to be recoverd by Bill, Plaint, or Information in the Grand Court of this Iſland, wherein no Eſſoin, Imparlance, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Clauſe to reſtrain certain Perſons ſending Negroes off this Iſland, on Penalty of 100*l.*

IV. AND whereas ſeveral Perſons holding, poſſeſſing, and enjoying Negro and other Slaves as Tenants by the Courteſy of *England*, Tenants in Dower, Tenants for Life or Years, and Mortgagers of Negroes and Slaves, or thoſe deriving under them, have heretofore uſed to ſend off from this Iſland, by Way of Merchandize or otherwiſe, ſeveral Negroes and Slaves, by them held and enjoyed under the Titles aforeſaid, to the great Prejudice of the Mortgagee, his Heirs, or Aſſigns, and of him, her, or them to whom ſuch Negro Slave or Slaves ought to deſcend or come after the Determination of ſuch particular Eſtate as aforeſaid: For Remedy whereof be it enacted by the Authority aforeſaid, That if any Tenant, by the Courteſy of *England*, Tenants in Dower, whilſt a Widow, or any Second or other Huſband of ſuch Tenant in Dower, or any Tenant for Life or Years, or any Mortgager, or any Perſon claiming by, from, or under him, ſhall ſend off from this Iſland (except by Order of Law) or otherwiſe diſpoſe of any Negro or Slave, held, enjoyed, or poſſeſſed by him, her, or them, by the Courteſy of *England*, in Dower, or for Life or Years, or by any Mortgager, or other Perſon claiming by, from, or under a Mortgager, without the Conſent of the Mortgagee, his Heirs, or Aſſigns, or of him, her, or them, in Reverſion or Remainder, or of him, her, or them to whom ſuch Negroe or Slave, after the Determination of ſuch particular Eſtate, ſhould come to or deſcend, he, ſhe, or they ſo offending as aforeſaid, ſhall, for every Negro or Slave ſo ſent off from this Iſland, forfeit the Sum of One hundred Pounds to the Mortgagee, or others claiming under him, her, or them, or him, her, or them in Reverſion or Remainder, or to whom ſuch Negro or Slave ſhould or might come after the Determination of ſuch particular Eſtate.

Negroes hiring themſelves out to work without Conſent of their Owners, to be whipt at the Diſcretion of a Magiſtrate.

V. AND whereas very great and many Inconveniencies have for ſome Time paſt ariſen, and do daily ariſe to the Inhabitants of this Iſland, particularly to the Inhabitants of the three Towns of St. *Jago de la Vega*, *Port Royal*, and *Kingſton*, by reaſon that ſeveral Slaves belonging to unknown Perſons in this Iſland are clandeſtinely allowed, and do daily frequent the carrying on a private Trade, either on their own Accounts, or on Account of their Owners or Employers, for Arms, Ammunition, Proviſions, and other Neceſſaries; and alſo to hire themſelves out to work for a ſhorter or longer Time, and for their ſo doing, to pay to their reſpective Owners or Employers certain daily, weekly, or monthly Allowances; which oftentimes occaſion them (if they cannot get Work or Employment) to commit Thefts and Robberies to raiſe Money to ſatisfy the Contracts and Agreements made with their Owners to Employers; to the manifeſt Decay of Trade, and the Ruin and Deſtruction of ſeveral Inhabitants of this Iſland: For the Prevention whereof for the future, be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the firſt Day of *March* next enſuing, no Negro, Mulatto, or *Indian* Slave ſhall hire themſelves out to work, either aſhoar, or on board any Ship or Veſſel, Boat, Wherry, or Canoe, in any Harbour, Creek, Bay, or River in this Iſland; or offer themſelves to hire without the Licence or Conſent, Privity, Knowledge, or Direction of their reſpective Owner or Owners, or the Perſon or Perſons who have or hath the immediate Care, Government and Direction of ſuch Slave or Slaves, under his, her, or their own Hands, in Writing, firſt had and obtained for ſuch particular Work as the ſaid Slaves ſhall reſpectively hire or offer to hire themſelves, and teſtified by one or more of his Majeſty's Juſtices of the Peace of the Pariſh or Precinct where the Owner or Owners, Employer or Employers of ſuch Slave or Slaves do or ſhall inhabit; every ſuch Slave or Slaves ſo offending, ſhall be whipt at the Diſcretion of any Magiſtrate in the Pariſh or Precinct where ſuch Slave or Slaves ſhall offer themſelves to hire (without ſuch Licence, as aforeſaid) not exceeding one and thirty Laſhes: And that if any Juſtice of the Peace, upon Complaint to him made upon Oath, ſhall neglect or refuſe to put this Law in Execution, he ſhall, for every ſuch Neglect or Refuſal, forfeit the Sum

of

of Twenty Pounds of current Money of this Iſland; one Half to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame; to be recovered in his Majeſty's Supreme Court of Judicature of this Iſland, in which Suit no Eſſoin or Wager of Law ſhall be allowed. 1719.

VI. And whereas ſeveral Inhabitants of this Iſland do ſuffer and encourage the aforeſaid Slaves not only to build Cottages, and Huts, in the Savannahs and waſte Grounds, but alſo do let or hire Houſes, Cottages, Huts, or Lodgings unto the aforeſaid Slaves by the Day, Week, Month, Quarter, Year, or other greater or leſſer Term, who are ſuffered and permitted by their Owners and Employers to work and employ themſelves in what Manner and whereſoever they ſhall think fit, provided they pay their Owners to Employers a certain Sum of Money daily, weekly, monthly, or yearly; which hath oftentimes occaſioned ſeveral Thefts and Robberies, in order to comply with their Contracts and Agreements, and to ſave themſelves from the Severities of their Maſters and Miſtreſſes (nay, even by them encouraged thereto) to ſatisfy their unreaſonable Demands; which Practices have been found very prejudicial to the Inhabitants of this Iſland, ſuch Slaves having for ſome Time paſt been countenanced and protected as well by their Maſters and Miſtreſſes in ſuch their evil Doings, as by thoſe who rent them Houſes or Lodgings: For the Prevention whereof for the future, it is hereby further enacted and ordained by the Authority aforeſaid, That if any Owner or Owners, Employer or Employers of any ſuch Slave or Slaves, or any other Inhabitant of this Iſland, ſhall, from and after the ſaid Firſt Day of *March*, ſet, let, or hire any Houſes, Cottages, Huts, or Lodgings to any ſuch Slave or Slaves, or ſhall permit, encourage, or countenance them, or any of them, to build any Dwelling-houſe or Houſes, Cottages, or Huts, in any Towns, Savannahs, waſte Grounds, Lanes, Roads, or Paths in this Iſland, in order to hire themſelves out to work, or to carry on any Trade, Shop, or Employment; or ſhall wittingly, willingly, or knowingly ſuffer any ſuch Slave or Slaves to hire themſelves out to work, or to follow any Trade or Employment without ſuch Licence as aforeſaid; or ſhall contract or agree with any ſuch Slave or Slaves for any certain Sum of Money, or other Thing whatſoever, by the Day, Week, Month, or Year, or any greater or leſſer Time, and to go abroad where ſuch Slave or Slaves ſhall think fit, in caſe they comply with their Agreement; every ſuch Owner and Owners, Employer and Employers of any ſuch Slave or Slaves, and all and every other Perſon and Perſons whatſoever, having the Care or Direction of ſuch Slave or Slaves, ſhall forfeit the Sum of Fifty Pounds of current Money of this Iſland: One Moiety, or Half Part thereof, unto our Soverign Lord the King, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer or Informers, or him, her, or them who ſhall ſue for the ſame; to be recovered in his Majeſty's Supreme Court of Judicature in this Iſland, in which Suit no Eſſoin or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on letting of Houſes to Slaves; and on ſuffering them to work for Hire.

VII. And it is hereby further enacted by the Authority aforeſaid, That upon Complaint made to any of his Majeſty's Juſtices of the Peace for the Precinct, where ſuch Offence ſhall be committed, of the ſetting up or building any ſuch Dwelling-houſe or Houſes, Cottages, or Huts, in any Town, Savannah, waſte Grounds, Lanes, Roads, or Paths, or of their having been already built or erected; every ſuch Juſtice of the Peace is hereby authorized and impowered and required forthwith to order and direct, by Warrant for that Purpoſe, to all or any the Conſtables of the ſaid Precinct, ſuch Houſes, Cottages, and Huts to be pulled down and deſtroyed; and upon Neglect or Refuſal, ſuch Juſtice of the Peace ſhall forfeit the Sum of fifty Pounds current Money of this Iſland: One Moiety whereof ſhall be to his Majeſty, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to ſuch Perſon or Perſons who ſhall ſue for the ſame; to be recovered in the Supreme Court of Judicature in this Iſland, in which Suit no Eſſoin or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Juſtice, upon Complaint of Huts, &c. being erected, ſhall order them to be pulled down.

An Act for appropriating ſeveral Sums of Money to ſeveral Uſes. N° 211. Expired.

An Act for fitting out Sloops, or other Veſſels, for guarding the Sea Coaſt, and better Defence of this Iſland. 1720. N° 212. Expired.

1720. №° 213. Expired. *An Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charges of the Government; and applying the ſame to ſeveral Uſes.*

1720-21. №° 214. Expired. *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.*

№° 215. Obſolete *An Act for Relief of ſuch Perſons as have ſuffered by Piracies and Robberies at Sea, or on the Shore, by any of his Majeſty's Subjects of this Iſland.*

1721. №° 216. Private. *An Act for veſting certain Lands in the Pariſh of St.* Thomas in the Vale *in Truſtees, for the Uſe of* George Reid *Eſq; and his Heirs.*

№° 217. *An Act to encourage the Settling the North-eaſt Part of this Iſland.*

WHEREAS the greateſt Part of the Tract of Land within the Bounds repreſented by the Plat hereunto annexed, ſituate in the ſeveral Pariſhes of St. *Thomas in the Eaſt*, and St. *George*, lies wholly unſettled, though it hath been granted by his late moſt gracious Majeſty King *Charles* the Second, in ſeveral Parcels, to divers Inhabitants of this Iſland, in order to ſettle the ſame, paying thereout certain Rents to his Majeſty and his Succeſſors; for a good Part whereof no Quit-rents have been paid to his ſaid Majeſty or his Succeſſors, from the Year of our Lord One thouſand ſix hundred ninety and two, to the firſt Day of *February*, in the Year of our Lord One thouſand ſeven hundred and three, or within Eighteen Months afterwards: And the preſent Owners and Proprietors thereof do not reſide within this Iſland, nor have any Effects to anſwer ſuch Quit-rents; whereby not only his Majeſty is deprived of his ſaid Quit-rents due thereout, but alſo the Land lies wholly waſte and uncultivated, and is thereby become a Receptable for runaway and rebellious Negroes.

II. AND whereas there is good Reaſon to believe that many Perſons, with their Families and Slaves, would remove hither and ſettle amongſt us, could they be ſecure of Land in Proportion to their Families and Slaves; which would tend very much to the enriching as well as Security of this Iſland and augmenting the Trade of *Great Britain*: For the Encouragement whereof, be it enacted by the Governor, Council, and Aſſembly of this his Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That all Lands within the above mentioned Tract, whereof the Owners or Proprietors do not reſide in this Iſland, nor have any Effects in the ſame, to anſwer the Quit-rents, and for which no Quit-rents have been paid ſince the Feaſt of St. *Michael* the Archangel, in the Year of Our Lord One thouſand ſix hundred and ninety two, or within Eighteen Months after the Firſt Day of *February*, which was in the Year of our Lord One thouſand ſeven hundred and three, and that have not paid Quit-rents for the ſame before the Beginning of this Seſſion of Aſſembly, or that ſhall not, within Thirty Days after the paſſing of this Act, pay the Quit-rents for the ſame, ſhall be veſted in his Majeſty and his Succeſſors, for the Uſes, Intents, and Purpoſes herein after expreſſed; that

Lands owned by Perſons who reſide not on this Iſland, and have not paid their Quit rents, may be granted to other Perſons, &c.

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is to ſay, That the Governor for the time being do, and he is hereby impowered and obliged to grant all Lands forfeited or veſted by this Act, or by any other Ways or Means whatſoever, in his Majeſty, his Heirs, and Succeſſors, in the Manner and Proportion following, *viz.* To every white Perſon, being a Proteſtant, that ſettles and dwells on the ſaid Tract, thirty Acres of Land; for every white Perſon he or ſhe hath in Family, being alſo Proteſtants, and for every free Mulatto, *Indian*, or Negro, twenty Acres of Land; and for each Slave he or they ſhall bring with them, and put and keep upon the ſaid Tract, five Acres of Land, and no more.

III. PROVIDED, That no Perſon, not having fifteen white Perſons in Family, that dwell thereon, ſhall have above Four hundred Acres in the whole, under this Proviſo and Condition, that they, their Heirs, or Aſſigns ſettle and plant the ſame, or ſome Part thereof, within Six Months from the Date of their Patent; and that ſuch Patentee, or his Heirs, ſhall not diſpoſe thereof in Seven Years after the Date of ſuch Patent, either in Poſſeſſion, Reverſion, or Remainder. Proviſo.

IV. PROVIDED always, That any Perſon under the Age of Twenty one Years, Woman under Coverture, or Perſon of unſound Memory, ſhall ſettle and plant thereon within one Year after ſuch Perſon ſhall attain the Age of Twenty one Years, or Woman under Coverture ſhall become ſole, or Perſon of unſound Memory ſhall become *Compos Mentis*. Proviſo.

V. AND be it further enacted and ordained by the Authority aforeſaid, That all preſent Owners and Proprietors of any Land within the above mentioned Tract, their Heirs, or Aſſigns, ſhall be obliged to ſettle and plant upon the ſame, or ſome Part thereof, and go forward with ſuch Settlement, without Intermiſſion, within Twelve Months from and after ſuch Time as Twenty Settlements ſhall be made within the aforeſaid Tract of Land, and an actual Re-ſurvey thereof made, or ſhall forfeit the ſame to his Majeſty and his Succeſſors, to the ſame Uſes, Intents, and Purpoſes, as are the Lands hereby declared forfeited for Non-payment of Quit-rents; and to be granted likewiſe in the ſame Manner and Proportion, and under the ſame Conditions and Proviſoes, as are above mentioned touching the ſame. Perſons obtaining ſuch Lands obliged to ſettle and plant upon the ſame within 12 Months.

VI. PROVIDED always, That any Perſon under the Age of Twenty one Years, Woman under Coverture, of Perſon of unſound Memory, ſhall ſettle and plant on the ſame in Manner aforeſaid, within one Year after ſuch Perſon ſhall attain the Age of Twenty one Years, or Woman under Coverture ſhall become ſole, or Perſon of unſound Memory ſhall become *Compos Mentis*. Proviſo.

VII. AND in order to encourage Settlements in the ſaid Tract, be it further enacted by the Authority aforeſaid, That the Guardian or Guardians of any Infants, having Lands within the ſaid Tract, ſhall and may, for the Uſe and Benefit of ſuch Infants, improve and ſettle any Parcel of Land within the ſaid Tract belonging to any ſuch Infant, and that the Charge of ſuch Improvements ſhall be allowed of in his or their Accounts. Guardians to ſettle the Lands of Infants.

VIII. AND be it further enacted, That no Owner or Poſſeſſor of Lands within the ſaid Tract, ſhall convey or make over the ſame to any Infant, otherwiſe than by laſt Will and Teſtament, under any other Limitation than are the Lands to be granted within the ſaid Tract. No Lands to be conveyed to Infants but by laſt Wills.

IX. AND whereas divers Parcels of Land within the above mentioned Tract are become eſcheated or eſcheatable to his Majeſty or his Predeceſſors, and other Parcels thereof have been ſurrendered back unto the Crown, and ſome Part of the ſaid Land have never been granted out of the Crown: We your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, do, for the Encouragement of the Settling the aboveſaid Tract of Land, humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Governor, Counſel, and Aſſembly of this your Iſland, and it is hereby accordingly enacted by the Authority of the ſame, That the Governor for the time being be, and is hereby impowered, and ſhall alſo be obliged to grant in his Majeſty's Name, his Heirs, and Succeſſors, all Lands within the above mentioned Tract, veſted in your Majeſty by any of the laſt above mentioned Ways or Means, in the ſame Manner and Proportion, and under the ſame Proviſoes and Conditions, as is above mentioned concerning the Land forfeited or to be forfeited by this Act for Non-payment of Quit-rents. Lands veſted in the Crown, may be re-granted.

X. AND whereas by an Act, intituled, *An Act for Prevention of Law Suits*, it is, amongſt other Things, thereby enacted and declared, That in all Writs of Eſcheat thereafter to be granted, the Provoſt-marſhal be commanded to enquire by a Jury of Twelve free and lawful Men upon their Oaths (they then being on the Premiſſes) the true Value of all and ſingular the Real Eſtate, which any Perſon ſo dying without Heirs, was at the Time of his Death ſeized of: And whereas it appears both difficult and expenſive for a Jury to go on ſeveral Parts of the above mentioned Tract of Land; be it therefore enacted by the Authority aforeſaid, That that Part of the ſaid Clauſe relating to the Jury's being on the Premiſſes when they are to find an Eſcheat, be, and is hereby ſuſpended for Clauſe in a former Act ſuſpended for 3 Years.

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for the Space of Three Years, for and in reſpect to any Eſcheats hereafter to be found within any of the above mentioned Tract of Land only: And that it ſhall and may be lawful to and for the Provoſt-marſhal, upon any Writs of Eſcheat to iſſue within three Years next after the paſſing this Act, for any Lands within the ſaid Tract, to ſummon a Jury in any of the three Towns of St. *Jago de la Vega*, *Port Royal*, and *Kingſton*, to enquire if the ſaid Land be eſcheated to the King, and ſhall return ſuch Inquiſition to the the then next Grand Court; upon which Inquiſition and Return, if found for the King, Judgement ſhall paſs for the King, unleſs a Traverſe be then entered, which Traverſe ſhall be tried the next Court after, and Judgement affirmed.

Directions for Provoſt marſhal to proceed upon a Writ of Eſcheat.

Judgement being given for the King upon ſuch Writ, to bar all Perſons, &c.

XI. AND be it further enacted by the Authority aforeſaid, That whenſoever Judgement ſhall paſs for the King upon any ſuch Writ of Eſcheat to iſſue within the Time aforeſaid, and for any Parcel of Land within the ſaid Tract, the ſaid Land ſhall be, and is hereby declared to be abſolutely veſted in his Majeſty, his Heirs, and Succeſſors, to the Uſes, Intents, and Purpoſes in this Act mentioned; and that ſuch Judgement ſhall be, and it is hereby declared to be a perpetual Bar to all Perſons whatſoever, having or pretending to have, or claiming Right or Title to the ſame; any thing in this Act, or any other Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Perſons obtaining a Grant of ſuch Lands, diſcharged from all Arrears of Quit-rents,

XII. AND be it enacted by the Authority aforeſaid, That for a further Encouragement of ſettling the above mentioned Tract of Land, all Lands hereafter to be granted within the ſame, in purſuance and by virtue of this Act, ſhall be acquitted and diſcharged of and from all Arrearages of Quit-rents due for the ſame, to the Date of the reſpective Patents; and all Grants and Patents to be granted of any Land within the ſaid Tract, ſhall be without Fee or Reward, or other Charge; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

and Settlers from all Taxes for 7 Years.

XIII. AND it is further enacted, That all Settlers within the ſaid Tract ſhall be freed from all Manner of Taxes and Charges, both General and Parochial, whatſoever, for the Space of Seven Years, Quit-rents only excepted.

A Re-ſurvey to be made of the ſaid Lands, and returned into the Secretary's Office, &c.

XIV. AND be it further enacted by the Authority aforeſaid, That for the better aſcertaining the reſpective Bounds to the ſeveral Parcels of Land heretofore granted within the above mentioned Tract, a Re-ſurvey be made by *Jonathan Shaw*, *Michael Rivers*, and *Nicholas Holſt*, Surveyors, or any Two of them, within Twelve Months from the paſſing of this Act, or as ſoon after as conveniently may be, not exceeding Eighteen Months in the whole; and in caſe of the Death or Inability of any Two of them, then by any ſuch other Surveyor or Surveyors as the Governor for the time being ſhall appoint; which Re-ſurvey ſhall be returned under the Hands and Seals of the ſaid Surveyors, or any Two of them, and recorded in the Secretary's Office of this Iſland within Three Months after the finiſhing the ſaid Re-ſurvey; which ſaid Re-ſurvey ſo recorded, as aforeſaid, ſhall be concluſive to, and aſcertain the Bounds of each individual Plat between Party and Party within that Tract; and that after ſuch Re-ſurvey made and recorded, all preſent Owners and Proprietors in the above mentioned Tract, their Heirs, and Aſſigns, ſhall pay their ſeveral and reſpective Proportions and Shares of the Charge of ſuch Re-ſurvey to ſuch Surveyors: And in order to compleat the ſame, the Governor or Commander in Chief is hereby impowered to appoint ſuch a Party or Parties of Men to attend the ſaid Surveyors, or barrack them near the ſaid Settlements, as he ſhall think fit: And that Fifty Acres of Land be reſerved and laid out by an Eaſt and Weſt Line, for a Town to be built at *Pattiſon's Point*; and that the Governor for the time being is hereby impowered and ſhall be obliged to grant to all Merchants and Traders, and their Heirs, that may be willing to build within the ſaid Town; and to all and every Perſon or Perſons, and their Heirs, who ſhall make any Settlement within the above mentioned Tract of Land, Forty five Foot in Front, and Ninety Foot of Land deep in the ſaid Town.

Surveyors to be ſatisfied for their Trouble, and the charges of the Paſſages of Perſons coming to ſettle here to be paid by Receiver-general, &c.

XV. AND for a further Encouragement for People to come and ſettle on the ſaid Tract of Land, be it enacted by the Authority aforeſaid, That the Receiver-general for the time being ſhall, out of any Fund or Funds in his Hands unappropriated, diſburſe and pay the ſaid Surveyors according to the Laws of this Country, for their Labour and Pains in and about the ſaid Re-ſurvey; and alſo ſhall diſburſe and pay the Paſſages of all ſuch as have or ſhall come over to ſettle on the Encouragement of this Act on the ſaid Tract of Land, as ſhall require it; and likewiſe ſupply ſufficient Plantation Proviſions for them and their Slaves for Six Months, or borrow Money at Intereſt, not exceeding Twelve Pounds *per Cent.* for Intereſt, for the ſaid Uſes, which ſhall come over within Two Years; which ſaid Sums ſo to be expended or borrowed by him ſhall be allowed or made good by this or any future Aſſembly.

XVI. AND whereas it would tend much to the Encouragement of People to ſettle on the ſaid Tract of Land, to have the Path or Road from *Plantain Garden River* to the River *Grandee* cleared and opened, and be a mighty Diſcouragement to the rebellious and runaway Slaves reſiding and inhabiting within that Tract of Land: Be it enacted by the Authority aforeſaid, That a Road or Path be laid out, or the Old Road or Path be cleared

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cleared and kept open at the joint Charge of both the Pariſhes of St. *Thomas in the Eaſt* and St. *George*, and that the Juſtices and Veſtry of each Pariſh do immediatly proceed to the clearing of the ſaid old Road, or the laying out or clearing of a new one, ſo as to make the ſame paſſable both for Man and Horſe.

A Road to be laid out at the Charge of the Pariſhes of St. *Thomas* and St. *George*.

XVII. AND whereas it is neceſſary, for the Safety and Protection of ſuch as ſhall come and ſettle on the ſaid Tract of Land, that there ſhould be a ſufficient and proper Tract of Land together and adjacent, veſted in his Majeſty, his Heirs and Succeſſors, for the Uſes aforeſaid, to lie moſt convenient for the Reception of the ſaid Settlers: And whereas the following Parcels of Land near *Port Antonio* and River *Grandee*, *viz.* One thouſand Acres, formerly belonging to *Whitgift Aylmer*, but ſurrendered; One thouſand and fifty Acres, lately belonging to *Nicholas Eſmith*; One hundred and eighty Acres, lately belonging to *John Shewell*; Two hundred and ten Acres, to *John Cope*; and adjacent to which two laſt Parcels are One thouſand Acres of King's Land; Three hundred Acres, lately belonging to *R. Fidler*; One thouſand Acres to *Nicholas Smith*, ſold to Lord *Vaughan*; One thouſand ninety four Acres to *Nicholas Richardſon*, ſold to *Edward Stanton*, but recovered by *Nicholas Richardſon*; One thouſand Acres, lately belonging to *Francis Mingham*; One thouſand Acres to *John Moon*; One thouſand Acres, lately belonging to *Edward Halſted*, but meaſures two or three thouſand Acres, now in the Poſſeſſion of Mr *Lawrence Halſtead*; *Anthony Yates*, One hundred eighty Acres; *Roger Stevenſon*, One hundred ſixty Acres; *John George*, Four hundred fifty Acres; *William Gray*, Three hundred Acres; *Robert Weſton*, One hundred eighty Acres; and alſo ſeveral Parcels of Land bounded on *Rio Grandee*; *John Whight*, One thouſand Acres; *William Vincent*, Five hundred and ten Acres; *Thomas Martyn*, Five hundred Acres; *John Yeomans*, Two hundred and ten Acres; *Nicholas Smith*, Five hundred Acres; *Thomas Pearſon*, One thouſand five hundred Acres; *William Womach*, Five hundred ſixty Acres; *Jane Williams*, Four hundred Acres; *Reginold Wilſon*, One thouſand Acres; *John Aſhly*, Sixty Acres; Capt. *Howard*, Two hundred and ten Acres, *viz.* One hundred and twenty, and Ninety Acres; *George Gallop* One thouſand Acres; *William* and *John Doves*, One thouſand Acres; Sir *Charles Littleton*, One thouſand three hundred Acres; Capt. *Nicholas Smith*, One hundred Acres; Be it therefore enacted by the Authority aforeſaid, That *Ezekiel Gomerſall*, *Peter Beckford*, and *Andrew Arcedekne*, Eſqs. ſhall and are hereby appointed Commiſſioners to treat with the Owners and Attornies, and agree for the Price of all and every the ſaid recited Parcels of Land that are not already veſted, or ſhall not hereafter be veſted in his Majeſty by forfeiture, Eſcheat, or otherwiſe, as aforeſaid: And upon ſuch Agreement made, and Report to the Receiver-general, he is hereby required and impowered to pay for the ſame out of any Fund or Funds unappropriated, or raiſe Money at Intereſt, at Twelve Pounds *per Cent. per Ann.* which ſhall be made good to him by this or any future Aſſembly; which ſaid Lands ſo to be purchaſed, from and after the Payment of the ſaid Purchaſe-money, ſhall be, and are hereby declared to be veſted in his Majeſty, his Heirs and Succeſſors, to ſuch Uſes, Intents, and Purpoſes, as are the Lands forfeited or forfeitable by this Act, for Non-payment of Quit-rents, and to no other Uſe or Purpoſe whatſoever. Provided, That not above a fifth Part of the ſaid laſt mentioned ſeveral Parcels of Land ſhall be granted to any Perſon or Perſons reſiding in this Iſland.

Commiſſioners appointed for purchaſing the ſaid recited Lands.

XVIII. AND whereas a few Perſons are already come to his Iſland, on the Encouragement of the Governor's Letter, to ſettle amongſt us; which is ſince conſidered by the Aſſembly, and by them reſolved, That as they have been here ſome Time on Expences, that an Allowance be granted them, that they may the better quit themſelves of their preſent Engagements of Abode, as well as enabling them to diſcharge their Debts, otherwiſe they cannot embrace the Opportunity of ſettling at *Port Antonio*, now given by this Act: Be it therefore enacted by the Authority aforeſaid, That the Receiver-general, immediately after the paſſing of this Act, do pay unto the Commiſſioners herein before appointed, a Sum not exceeding One hundred Pounds, out of the Money now ariſing by virtue of an Act, intituled, *An Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charges of the Government, and applying the ſame to ſeveral Uſes*, paſſed in the Year of our Lord One thouſand ſeven hundred and twenty, by them to be diſtributed amongſt ſuch new Comers, as the ſaid Commiſſioners ſhall think neceſſary, for the Purpoſe aforeſaid.

Clauſe for Relief of Perſons already come to ſettle on this Iſland.

An Act to enable certain Truſtees to ſell the Eſtates and Intereſt of William Bowles, *and* Charles Bowles *his Son* (*an Infant*) *for the Diſcharge and Payment of Debts, and purchaſing Lands in the Kingdom of* Great Britain *to certain Uſes.*

№ 218. Private.

1721.
№ 219.

An Act to impower the Pariſhioners of the Pariſh of Kingſton *to erect proper Buildings for a Court-houſe and Exchange, at the Charge of the Inhabitants of the ſaid Pariſh.*

WHEREAS by an Act of the Governor, Council, and Aſſembly of this Iſland, intituled, *An Act for making* Kingſton *a Pariſh*, it has been (for the Encouragement of Trade and better Regulation of the ſaid Town) enacted and ordained, That there ſhould be erected, eſtabliſhed, and held in the ſaid Town a Quarter-ſeſſions for the Conſervation of the Peace, and a Court of Common-pleas, for the ſpeedier and eaſier determining of Differences: And whereas it is highly neceſſary and convenient that there ſhould be proper Buildings erected, as well for holding the ſaid Courts of Juſtice, as the meeting of Merchants and others, for the better carrying on of Commerce and Trade: We, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, beſeech your Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That the Juſtices and Veſtry of the ſaid Pariſh of *Kingſton*, or the major Part of them, ſhall, on any Day they ſhall think convenient, meet, and lay an equal Pound-rate, or ſuch other Tax as they ſhall thing proper, on the Inhabitants of the ſaid Pariſh, for the erecting and building proper and convenient Buildings for a Court-houſe and Exchange, for the Uſes aforeſaid, ſo as the ſaid Pound-rate or Tax do not exceed the Sum of One thouſand Pounds; and that a Roll of the ſaid Pound-rate or Tax ſo made, ſhall be delivered into the Hands of the Conſtables of the ſaid Pariſh, with a Warrant thereunto annexed, ſigned by any two Juſtices of the Peace for the ſaid Pariſh, impowering him or them to levy the ſaid Pound-rate or Tax, and upon Refuſal to diſtrain the Goods or other Effects of him ſo refuſing; and the Diſtreſs ſo taken to ſell at publick Outcry, firſt giving five Days Notice of the Place and Hour of the intended Sale by affixing up an Account thereof, at the moſt noted and publick Place in the ſaid Town of *Kingſton*, and the Money thereby ariſing to pay into the Hands of the Church-wardens for the time being, who are to return the Overplus, if any be, to the Owner thereof, after a Deduction of Three Pence in the Pound for levying the ſame; any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Juſtices may lay a Tax on the Inhabitants of *Kingſton* for building a Court-houſe, &c.

№ 220.

An Act to ſuſpend a Clauſe in an Act, intituled, An Act for aſcertaining, eſtabliſhing, and more ſpeedy collecting her Majeſty's Quit-rents; *and for the future Eaſe of the Inhabitants of this Iſland, and better diſcovering his Majeſty's Quit-rents.*

WHEREAS by an Act, intituled, *Act Act for aſcertaining, eſtabliſhing, and more ſpeedy collecting her Majeſty's Quit-rents*, paſſed in the Year of our Lord One thouſand ſeven hundred and three, it is therein and thereby, among other things, enacted, That for the more ready collecting her Majeſty's Quit-rents from thenceforth to become due and payable, all Owners and Proprietors of Land within this Iſland that ſhould thereafter alien, ſell, or convey any Part or Parcel of Land to any Perſon whatſoever, the ſaid Buyer and Purchaſer of ſuch Land ſhould and was thereby required, within the Space of three Months after any ſuch Alienation, Sale, or Conveyance, to give an Account of the ſame to the Receiver-general, or his Deputy, in Writing, expreſſing his own Name, the Name of the Pariſh, Quantity of Land, and the Perſon of whom he purchaſed the ſame, and the Bounds thereof reſpectively, to the Intent the Receiver-general might know from whom the Quit-rents from that Time became due and payable, under the Penalty that ſuch Purchaſer ſhould forfeit the Sum of Ten Pounds: And whereas the ſaid Clauſe in the ſaid Act has been ſince found to be inconvenient, and the Ends thereby propoſed not fully anſwered, in regard no Mention is made therein of Patents for Land hereafter to be granted, ſo that his Majeſty is nothing the more aſcertained from whom the Quit-rents of Land become due: For Remedy whereof, and to the End his Majeſty's Quit-rents may be aſcertained, and the Inhabitants eaſed of the Penalties and Forfeitures already incurred by virtue of the ſaid Clauſe, be it enacted by the Governor, Council, and Aſſembly of this his Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority aforeſaid, That from and after the firſt Day of *December* next, the Secretary of this Iſland for the time being

being ſhall be, and is hereby impowered, obliged, and required to tranſmit to the Receiver-general for the time being, or his Deputy, a Docket of all and every Deed or Patent for Land which ſhall be brought into his Office (to be recorded within twenty Days after the ſame comes into his ſaid Office) therein ſetting forth the Name of ſuch Purchaſer or Patentee, and the Name of him or them that convey the Lands, the Name of the Pariſh, Quantity of Land, and the Buttings and Boundings thereof; to the Intent the Receiver-general may know from whom the Quit-rents for that Time become due and payable, for which he ſhall aſk, demand, and take ſeven Shillings and ſix Pence, and no more; that is to ſay, two Shillings and ſix Pence for his own Trouble in tranſmitting ſuch Docket to the Receiver-general, as aforeſaid, and five Shillings for the Receiver-general, as is in the before recited Act directed to be paid him, under the Penalty of forfeiting the Sum of Twenty Pounds current Money for every Neglect.

1721.

Secretary to tranſmit to Receiver-general a Docket of all Deeds and Patents of Land brought into his Office, &c.

II. AND be it further enacted by the Authority aforeſaid, That the before recited Clauſe in the ſaid Act be, and is hereby ſuſpended for and during the Term of three Years, to commence from the ſeventeenth Day of *October* laſt paſt: And that all Actions already brought or commenced againſt any Perſon or Perſons whatſoever, and now depending, or which ſhall be brought, proſecuted, or commenced againſt any Perſon or Perſons whatſoever, for or by reaſon, or upon account of the before recited Clauſe, ſhall be, and are hereby diſcontinued without Coſts: And all Penalties and Forfeitures ſo incurred, as aforeſaid, by virtue of the ſaid recited Clauſe, be and are hereby remitted and releaſed to all and every Perſon or Perſons whatſoever. Provided, That every Perſon or Perſons who have neglected to give ſuch Account to the Receiver-general, or his Deputy, of all Deeds ſince the paſſing of the ſaid Law, and before the firſt Day of *December*, One thouſand ſeven hundred and twenty two, ſhall give ſuch Account as is hereby directed; then, and in ſuch caſe, they ſhall be indemnified from all or any the Penalties and Forfeitures in the ſaid recited Clauſe mentioned, otherwiſe they ſhall be ſtill liable to ſuffer for the ſame; any thing in this Law to the contrary notwithſtanding.

Clauſe in a former Act ſuſpended for 3 Years.

III. AND to the Intent this Act may be made publick and known for the future, be it enacted by the Authority aforeſaid, That the Juſtices of the ſeveral and reſpective Pariſhes within this Iſland ſhall, at the firſt Quarter-ſeſſions of the Peace to be held after the paſſing this Act, cauſe it to be publiſhed, on Penalty of Fifty Pounds for every ſuch Juſtice who ſhall neglect his or their Duty herein; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

This Act is to be made publick,

IV. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland for the time being be, and is hereby required to tranſmit a Copy of this Act unto the Church-wardens of the ſeveral Pariſhes in this Iſland within thirty Days after the paſſing the ſame; and that he have and receive for his Pains the Sum of Ten Shillings of current Money of this Iſland for each Copy, to be paid by ſuch Church-wardens out of the Pariſh Stock.

and all Church-wardens to have a Copy of it.

An Act for the more eaſy obtaining of Partitions of Lands, Tenements, Negroes, and other Hereditaments, in Joint-tenancy, Tenancy in common, and Coparcenary. N° 221.

WHEREAS the Proceedings upon Writs of Partition between Copartners at the common Law, Joint-tenants and Tenants in common, are found by Experience to be tedious, chargeable, and oftentimes ineffectual, by reaſon of the Difficulty of diſcovering the Perſons of thoſe who have undivided Parts and Purparts of ſuch Lands, Tenements, Negroes, and other Hereditaments to be divided, and the defective and dilatory executing and returning of Proceſs, and other Impediments in making and eſtabliſhing of Partition, whereby ſeveral Parcels of Land lie altogether uncultivated, unſettled, and unmanured, to the great Prejudice of ſeveral of his Majeſty's good Subjects of this Iſland, as well as the Hinderance of the further ſettling of the ſame: For Remedy whereof, We, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Iſland of *Jamaica*, humbly beſeech your Majeſty, that it may be enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That from and after the firſt Day of *November*, One thouſand ſeven hundred and twenty one, after Summons or other Proceſs in Partition returned, and Affidavit made by the Provoſt-marſhal, or his Deputy or Deputies, or by any other Perſon, of due Notice given of the ſaid Writ of Partition to the Tenant to the Action, or to the lawful Attorney or Attornies, Agent or Agents of ſuch Tenant (if to be found within this Iſland) whoſe Power is proved and recorded in the Secretary's Office of this Iſland one Month at leaſt before the iſſuing forth of ſuch Writ or Summons in Partition; and where the Tenant to ſuch Action is not, nor cannot be found within this Iſland, or any Attorney or Attornies of his, whoſe Power is proved

After Proceſs in Partition is returned, &c. Court may award a Partition, although the Tenant in the Action, &c. does not appear.

1721. proved and recorded, as aforeſaid, to the Tenant in Poſſeſſion or Occupier of ſuch Lands, Tenements, Negroes, and other Hereditaments, whereof the Partition is demanded, if any ſuch there be other than the Demandant; and in caſe there be none in Poſſeſſion but the Demandant then a Copy of ſuch Summons or other Proceſs in Partition being left on the Premiſſes fourteen Days at leaſt before the next enſuing Court, if the Tenant or Tenants to ſuch Writ, or the true Tenant to the Lands, Tenements, Negroes, or other Hereditaments, ſhall not appear, or cauſe an Appearance to be entered in ſuch Court where the ſaid Writ is returnable, then in Default of ſuch Appearance, the Demandant having entered his Declaration, the Court may, and are hereby required and impowered to proceed to examine the Demandant's Title and Quantity of his Part and Purpart, and according as they ſhall find his right Part and Purpart to be, they ſhall for ſo much give Judgement by Default, and award a Writ to make Partition, whereby ſuch Proportion, Part, and Purpart may be ſet out ſeverally; which being executed and returned, and thereon final Judgement entered, the ſame ſhall be good, and conclude all Perſons whatſoever, whatever Right or Title they may have, or claim to have in any the Lands, Tenements, Negroes, and other Hereditaments, mentioned in the ſaid Judgement or Writ of Partition, although all Perſons concerned are not named in the Proceedings, nor the Title of the Tenant or Tenants truly ſet forth.

Proviſo. II. PROVIDED always, That if ſuch Tenant or Perſon concerned, or either of them, againſt whom, or their Right or Title, ſuch Judgement by Default is given, ſhall, within the Space of one Year from the entering the firſt Judgement, apply themſelves to the Court where ſuch Judgement is entered by Motion, and ſhew a good and probable Matter in bar of ſuch Partition, or that the Demandant hath not Title to ſo much as he hath recovered, then, and in ſuch caſe, the Court may ſuſpend or ſet aſide ſuch Judgement, and admit the Tenant and Tenants to appear and plead, and the Cauſe ſhall proceed according to the due Courſe of the Law, as if no ſuch Judgement had been given; and if the Court, upon hearing thereof, ſhall adjudge for the firſt Demandant, then the firſt Judgement ſhall ſtand confirmed, and be good againſt all Perſons whatſoever, and the Perſon or Perſons ſo appealing ſhall be awarded thereupon to pay treble Coſts; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

№° 222. Expired. *An Act to impoſe Duties on ſeveral Commodities, and applying the ſame to ſeveral Uſes.*

№° 223. Expired. *An Act for collecting and gathering in the ſeveral out-ſtanding Debts of this Iſland.*

№° 224. Expired. *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.*

№° 225. Expired. *An Act for fitting out a Sloop, or other Veſſel, for guarding the Sea-coaſts, and better Defence of this Iſland.*

1722.

№° 226. *An Act for eſtabliſhing a perpetual Anniverſary Faſt on the Twenty eighth of* Auguſt.

WHEREAS it hath pleaſed Almighty God on the Twenty eighth of *Auguſt*, in the Year of our Lord One thouſand ſeven hundred and twelve, and on the ſame Day in this preſent Year, juſtly to puniſh the Inhabitants of this Iſland by two moſt dreadful and amazing Storms, which not only laid waſte the Eſtates and Habitations of the Inhabitants in general, but alſo deſtroyed ſome Numbers of People near the Sea-coaſts: Now therefore, that ſo ſignal a Viſitation may be had in perpetual Remembrance, and that we

we and our Poſterity, by humbling ourſelves, may endeavour to appeaſe the Almighty's imminent Wrath, and prevent more tremendous Judgements; We, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That every twenty eighth Day of *Auguſt* (unleſs it falls out to be on the Lord's Day, and then the Day following) ſhall be for ever hereafter ſet apart to be kept and obſerved by all the Inhabitants of this Iſland, as an Anniverſary Day of Faſting and Humiliation; and that all and every the Inhabitants aforeſaid, ſhall upon the ſaid Day annually reſort to ſome publick Place of Worſhip, where Prayers and Preaching are uſed to be miniſtred, and there orderly and devoutly abide during the Celebration of Divine Service, by Prayers, Preaching, ſinging of Pſalms, *&c.* 1722.

The 28th of *Auguſt* to be annually kept as a Day of Faſting and Humiliation.

II. AND to the End that all Perſons may be put in Mind of their Duty therein, and be the better prepared to diſcharge the ſame with that Piety and Devotion that becomes them, be it further enacted, That every Miniſter ſhall give Notice to his Pariſhioners in the Church or other publick Place of Divine Worſhip at Morning Prayer the *Sunday* preceding every ſuch twenty eighth Day of *Auguſt*, for the Obſervation of the ſaid Day, and that he provide a Sermon ſuitable to that Occaſion; and that in ſuch Pariſhes where there is no Miniſter, this Act ſhall be publiſhed annually in the Seſſions next before the twenty eighth Day of *Auguſt*, as aforeſaid.

Miniſter to give Notice the *Sunday* before, and preach a Sermon ſuitable to the Occaſion, *&c.*

III. AND be it further enacted and ordained by the Authority aforeſaid, That no Perſon or Perſons whatſoever, neither by themſelves, Servants, or Slaves, ſhall do or cauſe to be done any Manner of Work in his or their Trade, Calling, or Plantation; and that no Shop, Tavern, Coffee Houſe, or Punch Houſe, be kept open on the ſaid Day, on Penalty of forfeiting Forty Shillings for every Perſon, by himſelf, Servant, or Slave, ſo offending as aforeſaid; to be recovered before any of his Majeſty's Juſtices of the Peace, who are hereby required and impowered to award the ſame; one Half of which Forfeiture ſhall be to the Church-wardens, for the Uſe of the Pariſh; and the other Half to the Informer, or him, her, or them that ſhall ſue for the ſame.

No Work to be done nor Shops, *&c.* kept open.

An Act to impoſe Duties on ſeveral Commodities, and applying the ſame to ſeveral Uſes. — № 227. Expired.

An Act for fitting out a Sloop, or other Veſſel, for guarding the Sea Coaſts, and better Defence of this Iſland. — № 228. Expired.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes. — № 229. Expired.

An Act to appropriate ſeveral Sums of Money to ſeveral Uſes. — № 230. Expired.

An Act for preventing the Frauds, and regulating the Abuſes in Trade. — № 231.

WHEREAS it hath been a Practice of late in this Iſland, for Importers to ſell ſeveral Goods and Merchandizes of the Growth of *Great Britain*, *Ireland*, and *America*, by Invoice and not by Weight, and by falſe Meaſures; which Practice tends to the Encouragement of Fraud and Deceit in that Sort of Trade: To the Intent a ſpeedy Stop may be put to the Continuance and Growth of ſuch Practices for the future, We your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Iſland of *Jamaica*, moſt humble beſeech your Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and by the Authority of the ſame, That if any Perſon or Perſons whatſoever, from and after the firſt Day of *July*, in the Year of

1722.

Boards, &c. wanting of the Measure they are marked to contain, to be burnt by the common Cryer.

our Lord One thousand seven hundred and twenty three, shall sell or expose to Sale any Boards or Timber of any Kind, of the Produce of any Island or Colony in *America*, which shall not hold out in Measure according to the Number of Feet they shall be marked to contain, that then such Boards or Timber which shall be so wanting in Measure, shall be measured by a sworn Measurer to be appointed by the Justices in Sessions at the two Towns of *Port Royal* and *Kingston*, and shall be burnt and destroyed by the Cryer of the Parish for the time being, who shall be paid by the Church-wardens, out of the Parish Stock for the same, five Shillings *per* thousand for each thousand of Boards or Timber which he shall so burn as aforesaid.

The Dimensions of Staves, &c. to be sold here.

II. AND be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever, from and after the Time aforesaid, shall sell or expose to sale any Staves or Shingles that shall be imported into this Island, from any Colony in *America*, of less than the following Dimensions; that is to say, Staves for Hogsheads or Pipes, not less than forty two Inches in Length, and four in Breadth; and Shingles, not less than the Length of eighteen Inches, and the Breadth of five Inches; and if such Staves shall be less than forty two Inches in Length and four Inches in Breadth, or Shingles less than eighteen Inches in Length and five Inches in Breadth, that then such Staves or Shingles shall be burned and destroyed by the Cryer of the Parish for the time being, who shall be paid by the Church-wardens out of the Parish Stock for the same, five Shillings *per* thousand for each thousand of Staves or Shingles which he shall so burn as aforesaid: And in case the Owner or Importer of such Staves, Boards, and Shingles shall delay, refuse, or deny delivering the same to the said Cryer, for every Hour he shall by such Delay, Refusal, or Denial prevent the Execution of this Law, he shall forfeit Forty Shillings; to be recovered by Warrant from any Justice of the Peace: And every Cooper, or other Person, that shall make or expose to Sale any Hogsheads of any Staves that shall not hold out in Breadth and Length as herein before is directed, shall, for every such Hogshead he shall so sell or expose to Sale, forfeit Thirty Shillings, to be recovered by Warrant from any Justice of the Peace; one Moiety of which said Forfeitures shall be to the Use of the Poor of the Parish where such Offence shall be committed, and the other to him or them who shall inform or prosecute for the same.

Liquors sold in Bottles which hold not full Quarts, &c. forfeited.

III. AND whereas the Inhabitants of this Island are defrauded by those who import and sell Liquors in Bottles which hold not near the Quantities they are said to contain; be it therefore enacted, and it is hereby enacted and ordained by the Authority aforesaid, That from and after the first Day of *July*, in the Year of our Lord One thousand seven hundred and twenty three, all Bottle Liquor imported into this Island in Bottles, and for Sale, which shall not hold full Quarts or Pints, shall be forfeited to the Use of the Poor of the Parish where the same shall be offered to Sale.

Goods sold by Invoice which ought to be sold by Weight, forfeited.

IV. AND be it enacted by the Authority aforesaid, That no Person or Persons shall, from and after the first Day of *July*, in the Year of our Lord One thousand seven hundred and twenty three, sell or cause to be sold any Goods, Wares, and Merchandizes whatsoever by Invoice, which ought to be sold by Weight, under the Penalty or Forfeiture of the Goods so sold and delivered by Invoice; to be applied, the one Half to the Use of the Poor of the Parish where such Goods shall be sold, the other Half to the Informer, or him or them that shall sue for the same; to be recovered before any two of his Majesty's Justices of the Peace, whereof one to be of the *Quorum*; any Law, Custom, or Usage to the contrary thereof in any wise notwithstanding.

N° 232. *An Act for laying out a Road from a Place called the* Cave, *in the Parish of* Westmoreland, *over the Mountains, to the North-east Part of the same Parish, or to the West End of St.* James's, *as the Commissioners shall think most convenient.*

WHEREAS the present Highway, from the *Cave*, in the Parish of *Westmoreland*, to the North-east Part of the same Parish, is very inconvenient and dangerous, both by reason of the Quicksands along the Sea Shore, the Unpassableness of the Road in the rainy Time of the Year, the several dangerous Rivers that Travellers are obliged to wade through, and the Length of the Way, proves very inconvenient and dangerous to the several Inhabitants of the said Parish, who are obliged to travel it at all Times of the Year on publick Services: And whereas, by several credible Persons that have travelled in the Woods between the *Cave*, in the Parish of *Westmoreland*, and the West End of St. *James's*, it hath been found that a more commodious and shorter Way may be cut through the Woods, from the *Cave* over the Mountains to the North Side of the said Parish: And

1722.

And it being requiſite, as well for his Majeſty's Service in conducting ſpeedy Succours to each Place, as a Means of a ſpeedy Correſpondence between the North and South Sides of this Iſland, and likewiſe of great Uſe to your Majeſty's liege Subjects, that a publick Road be laid out from the *Cave* aforeſaid to the North-eaſt Part of the ſame Pariſh, or the Weſt End of St. *James*'s, as the Perſons hereafter appointed ſhall think moſt convenient: Be it therefore enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That a new Highway or Road ſhall be with all convenient Speed run, cut, and made, leading from the *Cave* in the Pariſh of *Weſtmoreland*, over the Mountain to the North-eaſt Part of the ſame Pariſh, or the Weſt End of St. *James*'s, as the Commiſſioners, or any two or more of them hereafter named, ſhall think fit and convenient.

A new Road to be cut from *Weſtmoreland* Pariſh to St. *James*'s.

II. AND be it further enacted by the Authority aforeſaid, That the Commiſſioners for the ſaid Road hereafter named and appointed, or any two or more of them, ſhall and may, and they are hereby impowered and required to adminiſter an Oath to the Surveyor of the Highway, or Way-wardens of the ſaid Pariſhes, forthwith, upon the Return of the Surveyor or Surveyors, to run and lay out the ſaid Road or Highway to the Commiſſioners, or any two or more of them, in this Act to be hereafter named, which ſaid Surveyors are to be appointed by the ſaid Commiſſioners, or any two or more of them; and after ſuch Return to be made and delivered by the Surveyor or Surveyors to the ſaid Commiſſioners, or any two or more of them, the ſaid Commiſſioners are to deliver the ſame to the Way-wardens of the Highways, who ſhall thereupon forthwith proceed to the Execution and Diſcharge of their ſeveral and reſpective Duties, as is hereby required; which ſaid Highway ſhall be cut ſixty Feet in Breadth, and well cleared by the Way-wardens, with ſuch Number of Negroes belonging to the ſaid Pariſhes where the ſaid Road ſhall be found to extend, as by the ſaid Commiſſioners, or any two or more of them ſhall be thought convenient; and the ſaid Highway or Road being ſo cut and cleared, ſhall for ever after be deemed and taken as a publick Road, and ſhall, as often as Occaſion requires, be maintained, repaired, cleared, and kept in good Order by the Way-wardens of the ſaid two Pariſhes of *Weſtmoreland* and St. *James*, ſo far as the ſaid Road ſhall be found in either of the two aforeſaid Pariſhes to extend.

A Survey of which Road ſhall be taken, and returned to the Commiſſioners, &c.

III. AND to prevent all Diſputes which may ariſe about the Bounds of the two Pariſhes aforeſaid, or otherwiſe touching the Execution and Performance of this Law, be it further enacted and ordained by the Authority aforeſaid, That *Peter Beckford*, *John Moor*, and *John Lewis*, Eſqrs. Mr *Francis Acres*, Mr. *John Blagrave*, and Mr. *Hugh Kirkpatrick*, jun. or any Two or more of them, be and are hereby appointed Commiſſioners, to inſpect and take care of the due Execution of this Act; which ſaid Commiſſioners, or any Two or more of them, ſhall and are hereby required to meet at *Queen*'s *Town*, in the Pariſh of *Weſtmoreland*, on the Thirtieth of *January* next, or within twenty Days after, and there to chooſe and appoint one lawful and ſworn Surveyor, who ſhall immediately proceed to the running out of ſuch a Path as by this Act is appointed, with the moſt Conveniency to the Publick, and the leaſt Prejudice to any particular Perſon, from the *Cave* in the Pariſh of *Weſtmoreland*, to the North-eaſt Part of the ſaid Pariſh, or the Weſt End of St. *James*'s; and ſhall run out and fix the Bounds of the ſaid Pariſhes, according as the ſame is appointed by a former Act of this Country for the Diviſion of the ſaid Pariſhes; and the ſame ſo aſcertained ſhall be marked with diſtinguiſhing Marks on good and durable Timber, and for ever be kept and maintained, and the ſaid Marks to be cut in good legible Characters, and the ſame ſhall always be deemed as the Boundaries of the ſaid two Pariſhes, and which the ſaid two Pariſhes reſpectively are hereby obliged to clear and for ever maintain: And in caſe the Surveyor or Surveyors to be choſen by the Commiſſioners, or any two or more of them reſpectively, ſhall neglect or refuſe immediately to proceed to the running out the intended Path and Line aforeſaid, that then and in ſuch Caſe he ſhall reſpectively forfeit Fifty Pounds; and the Surveyor is hereby further required as ſoon as he hath finiſhed the ſaid Path or Line, to make a Return to the ſaid Commiſſioners, or any Two of them, who ſhall cauſe the ſame to be recorded by the Clerk of the Peace of either of the ſaid Pariſhes; and that the ſaid Surveyor ſhall be paid by the Church-wardens of each Pariſh for the Work by him done on Account of each Pariſh, as ſhall be adjudged by the Commiſſioners aforeſaid, or any Two or more of them, to be paid out of the Pariſh Stock reſpectively, together with all other the Charges, to the reſpective Officers for putting this preſent Act in Execution, not herein before provided for.

who are to execute this Act. &c.

IV. AND it is hereby further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Two or more of them, having received the Return of the Surveyor as aforeſaid, ſhall cauſe two Copies of the ſame to be fairly drawn out, one whereof they ſhall forthwith ſend to the Way-wardens of the Pariſh of *Weſtmoreland*, and the other to the Pariſh of St. *James*, with their ſtrict Orders to each and every of them in Writing, that they reſpectively, as before in this Act is appointed, immediately proceed to the cutting down and clearing the ſaid Highway, ſo as the ſame may be compleated and finiſhed within twelve Months after the paſſing this Act: And for the better effecting thereof, the

A Copy of the Surveyor's Return to be delivered to each of the two Pariſhes and the Road finiſhed within 12 Months, &c.

1722. the ſaid Way-wardens of the ſaid Pariſhes, and every of them reſpectively, are hereby authorized to iſſue out their Warrants to the Conſtables and Tythingmen to warn all the Inhabitants of the ſaid Pariſhes to furniſh ſuch Number of able Negroes, together with ſuch a Number of white Men Drivers to overſee them, as ſhall be appointed by the Commiſſioners in this Act mentioned, or any Two or more of them; together with ſuch Tools, Proviſions, and other Neceſſaries, as ſhall be thought by them needful for bringing in the ſaid Work, and finiſhing the ſame within the Time herein limited and appointed: And whoſoever ſhall neglect or refuſe to ſend his or her Proportion of able working Slaves with ſuch Tools and Neceſſaries as ſhall be appointed by the ſaid Commiſſioners, or any Two or more of them, ſhall for every Slave ſo wanting pay Three Shillings and Nine Pence *per* Day; to be recovered before any Juſtice of the Peace, as in all Caſes of Forty Shillings; any thing in this, or any other Act to the contrary thereof in any wiſe notwithſtanding.

Penalty on Way-wardens neglecting their Duty,

V. AND if the ſaid Way-wardens, or any of them, ſhall refuſe or neglect to do his or their Duty in cutting or clearing the ſaid Highway to the Extent of their reſpective Bounds, as is hereby appointed, he or they ſo offending, ſhall reſpectively forfeit the Sum of One hundred Pounds, current Money of this Iſland.

and on future Way-wardens,

VI. AND in caſe the ſaid Highway ſhall be neglected, and not maintained in good Repair by ſucceeding Way-wardens, he or they that ſhall ſo offend therein, ſhall reſpectively lie under the Pains and Penalties provided in an Act of this Iſland, intituled, *An Act for the Highways.*

and Surveyors, &c.

VII. AND if any Surveyor or Commiſſioner by this Act appointed ſhall neglect his or their Duty touching the Premiſſes, or any Part thereof, he or they ſhall reſpectively forfeit the Sum of Fifty Pounds.

Penalty on Conſtables, &c. neglecting their Duty.

VIII. AND if any Conſtable or Tythingman ſhall neglect his or their Duty, they ſhall reſpectively forfeit Twenty Pounds: All which ſaid Forfeitures herein before mentioned, ſhall be one Half to the Informer, or to him or them that ſhall ſue for the ſame; and the other Half to the Commiſſioners, or any of them, for the Uſe of the ſaid Highway: And

Application of Penalties.

all Forfeitures in this Act mentioned, not exceeding Forty Shillings, ſhall be recovered by the ſaid Commiſſioners, or any of them, before any Juſtice of the Peace; and if above that Sum, by Action of Debt in any Court of Record in this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

№ 233. *An Act for ſettling the North-eaſt Part of the Iſland.*

WHEREAS all the Land within the Bounds repreſented by the Plat hereunto annexed, ſituate in the ſeveral Pariſhes of St. *Thomas in the Eaſt* and St. *George*, lies wholly unſettled, though moſt Part of it hath been granted by his late Moſt Gracious Majeſty King *Charles* the Second and his Succeſſors, in ſeveral Parcels, to divers of their Subjects, with a Deſign that the ſame ſhould be ſettled and manured, and the Rents reſerved in the ſaid ſeveral Grants duly paid: And foraſmuch as little or none of the ſaid Rents have been hitherto paid, nor is there any Part of the ſaid Tract of Land ſo granted cultivated or manured, nor are there any Settlements thereon, whereby his Majeſty is defrauded of his ſaid Rents, and the Conſideration for granting the ſaid Lands evaded: And whereas divers Parcels of Land within the ſaid Tract are now veſted in the Crown, by Eſcheat, Surrender, or otherwiſe, ſo that the whole is become a Receptacle for rebellious and runaway Negroes and Slaves, to the great Diſcouragement of the Peopling and Settling this Iſland, and Expence of the Inhabitants in ſupporting and maintaining Parties to ſuppreſs rebellious and runaway Negroes; yet the Proprietors of ſuch Parcels of the ſaid Land as are not now in the Crown, little regarding your Majeſty's Intereſt, the Good and Welfare of this Iſland, or the Advantage of it made to your Majeſty's Kingdom of *Great Britain*, but propoſing unreaſonable Gain to themſelves, neglect paying the Quitrents due to your Majeſty, or ſettling or cultivating their or any of their ſeveral Parcels of Land within the ſaid Tract, although they and each of them well know that the ſaid Pieces or Parcels of Land were given and granted to them or their Anceſtors with an Intent and View of their being ſettled, in purſuance of his late Majeſty King *Charles* the Second's Proclamation, but have likewiſe neglected or refuſed to treat and agree with the Commiſſioners nominated and appointed in an Act of the Governor, Council, and Aſſembly of this Iſland, intituled, *An Act to encourage the Settling the North-eaſt Part of this Iſland*, for purchaſing ſuch Parcels of Land within the ſaid Tract as were judged neceſſary to be veſted in your Majeſty, your Heirs, and Succeſſors, for the Uſes in the ſaid Act mentioned: And whereas it is neceſſary, for the Safety and Protection of ſuch as ſhall be inclined to ſettle on the ſaid Tract of Land, that there ſhould be at leaſt thirty thouſand Acres, in which twenty Acres of the Eaſtermoſt End of *Ruther*'s or *Lynch*'s Iſland, for the erecting

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ing a Town and Fortification, ſhall be included, together and adjacent, butting and bounding Part Weſterly on River *Grandy*, Eaſterly on Part of the ſaid Tract, Southerly alſo on other Part of the ſaid Tract, and Notherly on the Sea, laid out and allotted for the Conveniency of beginning a Settlement on the ſaid Tract of Land: And foraſmuch as ſuch Part of the ſaid Thirty thouſand Acres ſo judged proper to be allotted for the Encouragement and Commodity of the firſt Settlers, as is the Property of ſome of your Majeſty's Subjects, is worth Five Shillings current Money *per* Acre, and no more, to be ſold: Be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That ſuch Part of the ſaid thirty thouſand Acres as is not already veſted in your Majeſty, be, and the ſame and every Part thereof is hereby veſted and declared to belong to your Majeſty, your Heirs, and Succeſſors, to and for the Uſes and Purpoſes in this Act hereafter mentioned.

Clauſe for veſting in his Majeſty ſuch Part of the 30,000 Acres as is not already veſted in him.

II. And becauſe ſeveral Controverſies and Debates may ariſe touching and concerning the reſpective Intereſts of the Proprietors and Owners of all or any the Lands within the Bounds of the ſaid thirty thouſand Acres, as to their ſeveral Demands, and the reſpective Sums their ſaid ſeveral and reſpective Parcels of Land ſhall amount to, according to the Valuation aforeſaid: And to the end that all Controverſies and Diſputes touching the Premiſſes may in an eaſy and ſummary Way be determined, and each Man's Right and Intereſt appear, and to aſcertain the Quantum that each Man's particular Eſtate or Intereſt in all or any the ſaid Lands will amount to, according to the above Valuation of Five Shillings *per* Acre; be it enacted by the Authority aforeſaid, That *William Croſs* Eſq; Deputy Receiver General, or the Receiver, or Deputy Receiver General for the time being, are hereby ſucceſſively impowered, authorized, and ſhall and may ſummarily determine, by Inſpection of Deeds, Writings, Records, and otherwiſe, at his Diſcretion, all and all Manner of Rights, Eſtates, and Intereſts; and all Controverſies and Debates that may happen to ariſe concerning the Premiſſes, or any Part thereof, and ſhall have Power to ſend for any Perſon or Perſons, and oblige them to produce upon Oath their Deed, Writings, or Title relating to any of the ſame; and the ſaid *William Croſs*, or the Receiver, or Deputy Receiver General for the time being, are hereby required and obliged to cauſe all their Judgements and Decrees to be fairly entered in a Book to be kept for that Purpoſe, in which Judgement the Number of Acres, or Parcel of Land, with its Abuttals and Boundaries, together with the Name or Names of every Perſon or Perſons intereſted reſpectively in the ſame, the reſpective Sums of Money the ſame amounts to, according to the aforeſaid Valuation; and ſuch Judgements and Decrees ſo made ſhall be final, and conclude all and every Perſon and Perſons; any Diſability, Incapacity, Law, Cuſtom, Uſage, or other Matter or Thing whatſoever to the contrary in any wiſe notwithſtanding.

Wm. Croſs Eſq; impowered to determine all Diſputes ariſing concerning ſuch Land, &c.

III. And to the Intent that all and ſingular the Proprietors aforeſaid may be paid for their reſpective Eſtates and Intereſts, all and every Sum and Sums of Money which the ſame ſhall amount to in Manner as aforeſaid, firſt deducting the Quit-rents due to your Majeſty, to be accounted from the laſt Payment of Quit-rents, if any has been paid, and where none appears to have been paid, from the Date of their reſpective Patents; be it enacted, That the ſaid Commiſſioners ſucceſſively, as aforeſaid, do, and they are hereby required and impowered, immediately after ſuch Decree or Sentence, as aforeſaid, to pay for the ſaid Parcels reſpectively ſuch Sum and Sums of Money as the ſame ſhall amount to reſpectively (firſt deducting the Quint-rents due to your Majeſty, which they are hereby required and impowered to do) out of any Fund or Funds unappropriated in their Hands, or to take up Money at Intereſt, at Twelve Pounds *per Cent. per Annum*, which ſhall be made good to them by this or any future Aſſembly; and the ſaid Commiſſioners ſucceſſively, as aforeſaid, are hereby required and obliged to take Acquittances from the Parties, indorſed on their reſpective Judgements, for the particular Sum he ſhall ſo pay, in which Acquittance he ſhall alſo ſet forth how much he retained for your Majeſty's Quit-rents.

and to all Perſons of their Eſtates, firſt deducting the Quit-rents due to his Majeſty.

IV. And to the Intent that the Owners or Proprietors of all or any the ſaid ſeveral and reſpective Parcels of Land may not be kept out of, or delayed in the Payment of the ſeveral and reſpective Sum and Sums of Money, becoming due to them for their reſpective Eſtates and Intereſts in the Premiſſes; it is hereby declared and enacted, That the ſaid Commiſſioners ſucceſſively, as aforeſaid, ſhall, and they are hereby required and obliged, under the Penalty of One thouſand Pounds, upon Application to him or them made by all or any of the ſaid Proprietors, within Twenty Days after ſuch Application, to publiſh his Judgement and Decree of and concerning ſuch Proprietor's Eſtate and Intereſt in the Premiſſes in Manner as aforeſaid: And that in caſe the ſaid Commiſſioners ſucceſſively, as aforeſaid, ſhall delay paying any the Proprietors ſuch Sum and Sums of Money as ſhall be due to them, as aforeſaid, then, and in ſuch Caſe, ſuch Proprietor ſhall have and receive Intereſt, from the Date of ſuch Judgement and Decree, for his Money,

The Monies the Eſtates are valued at, to be immediately paid, &c.

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at and after the Rate of Twelve Pounds *per Cent. per Annum*, until he is paid what ſhall be due to him, as aforeſaid.

To whom, and upon what Conditions, the 30,000 Acres are to be granted.

V. AND be it further enacted, That twenty Acres at the leaſt of *Ruther*'s or *Lynch*'s Iſland, and all other the Land veſted in your Majeſty by virtue of this Act, and ſo much more of the Land in the Pariſhes of St. *Thomas in the Eaſt*, and St. *George*'s, adjoining to *Port Antonio* and *Pattiſon*'s *Point*, as will amount to, and make up thirty thouſand Acres, butting and bounding as aforeſaid, ſhall be, and the ſame is hereby declared to be abſolutely veſted in your Majeſty, your Heirs, and Succeſſors, to the Uſes, Intents, and Purpoſes herein after expreſſed; that is to ſay, to the Intent and Purpoſe that the Governor, or Commander in Chief for the time being ſhall, and he is hereby impowered and obliged to grant the ſaid thirty thouſand Acres, and every Part thereof, under the Broad Seal of this Iſland in Manner and Form following, *viz.* To every white Perſon demanding it, and to his Heirs who ſhall dwell and ſettle thereon, thirty Acres for himſelf, and the like Quantity for every white Perſon he hath in Family; for every free Mulatto, *Indian*, or Negro he ſhall bring with him, twenty Acres; and for every Slave, five Acres, and no more, under this Proviſo and Condition, that ſuch Patentee, and his or her Heirs, ſhall ſettle and plant on the ſame, or ſome Part thereof, within Six Months after the Date of ſuch Patent, and go forward with ſuch Settlement without Intermiſſion.

Proviſo.

VI. PROVIDED, That no Perſon not having above Fifteen Whites in Family ſhall have above four hundred Acres; and no Perſon who hath any Part of the ſaid thirty thouſand Acres granted to him ſhall paſs for, or be taken to be of any other Man's Family within the Intent and Meaning of this Act; nor ſhall any one who paſſes for one of another's Family, and on whoſe Account any Part of the ſaid thirty thouſand Acres hath been granted, be intitled to any Part of the ſaid thirty thouſand Acres; and all Grants to be made to any ſuch Perſons are hereby declared to be null and void to all Intents and Purpoſes whatſoever.

Grants, &c. of the ſaid Acres within 7 Years after obtaining them, void.

VII. AND all and every Gifts, Grants, Bargains, and Sales to be made by any Perſon or Perſons, or his Heirs, to whom any Part of the ſaid thirty thouſand Acres ſhall be granted, within Seven Years from the Date of his Patent, of any Part of the ſaid Land ſo granted unto him and his Heirs, ſhall be, and the ſame is hereby declared to be null and void to all Intents and Purpoſes whatſoever, whether ſuch Gift, Grant, Bargain, Sale, or Alienation be in Poſſeſſion, Reverſion, or Remainder.

Part of the ſaid Acres appropriated to the building of Towns.

VIII. AND for the further Encouragement of the ſettling of the Tract of Land deſcribed in the Plat hereunto annexed, it is convenient and neceſſary that a Town or Towns ſhould be built on that Part of the aforeſaid thirty thouſand Acres, commonly known and called by the Name of *Pattiſon's Point*, or upon the ſaid twenty Acres of *Ruther*'s or *Lynch*'s Iſland, hereby veſted in your Majeſty, as aforeſaid: Be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted and declared by the Authority of the ſame, That fifty Acres at the ſaid *Pattiſon*'s *Point*, together with the ſaid twenty Acres on *Ruther*'s or *Lynch*'s Iſland, be allotted for a Town or Towns; and that the Governor or Commander in Chief for the time being be, and he is hereby required and obliged to grant unto any Perſon or Perſons, his and their Heirs, who ſhall build thereon within Six Months after the Date of ſuch Grant, any Lot or Part of the ſaid Piece of Land, not exceeding ſeventy Foot in Front, and one hundred and fifty in Depth.

Proviſo.

IX. PROVIDED always, That Grants and Patents of the ſaid Footland, and all other Grants and Patents of all or any the Lands to be granted in purſuance of this Act, unleſs the ſame be built upon and ſettled, according to the true Intent and Meaning of this Act, ſhall be null and void to all Intents and Purpoſes whatſoever.

250 Acres to be annexed to the Town intended to be built, and to be deemed a Common.

X. AND be it further enacted, That two hundred and fifty Acres, adjoining to the ſaid Piece or Parcel of Land ſo intended for a Town or Towns at *Pattiſon*'s *Point*, be for ever hereafter taken, deemed, and reputed as a Common belonging to the ſaid Town or Towns, and the ſame is hereby declared to be a Common belonging and appertaining to the ſaid intended Town or Towns accordingly; and that the ſame, and every Part thereof, be for evermore unalienable by your Majeſty, your Heirs, or Succeſſors, to any other Uſe, Intent, or Purpoſe whatſoever.

Surveyors appointed to lay out the 30,000 Acres, &c.

XI. AND to the Intent that the Bounds of the ſaid thirty thouſand Acres may be aſcertained and known, be it enacted, That *Henry Nelſon*, *Jonathan Shaw*, and *Michael Rivers*, Surveyors, or any Two of them, do, within Six Months after the paſſing this Act, ſurvey and lay out ſo much of the aforeſaid Lands as will amount to, and make up the full Compliment of thirty thouſand Acres, in Manner and Form as herein before is expreſſed, and likewiſe ſurvey and lay out fifty Acres for a Town or Towns to be built on *Pattiſon*'s *Point*, and alſo the twenty Acres on *Ruther*'s or *Lynch*'s Iſland, and two hundred and fifty Acres for a Common, for the Uſe of the ſaid Town or Towns, in which ſaid Survey the ſaid Surveyors ſhall really run and make the ſeveral and reſpective Lines, according to the true Intent and Meaning of an Act of this Country, intituled,

An

An Act for further directing and regulating the Proceedings of Surveyors, and under ſuch like Penalties as in the ſaid Act are expreſſed, for not marking the Corner-trees; and in caſe of the Death or Diſability of the ſaid *Henry Nelſon*, *Jonathan Shaw*, and *Michael Rivers*, Surveyors, or any of them, to ſurvey and lay out the ſame, as aforeſaid, then by ſuch other Surveyor or Surveyors as the Governor for the time being ſhall nominate and appoint; which ſaid Survey ſo made and done, ſhall be returned by the ſaid Surveyors, or any Two of them, under their Hands and Seals, into the Secretary's Office of this Iſland, and there recorded by the ſaid Secretary, in which ſaid Survey and Return ſhall be mentioned and expreſſed the ſeveral Grantees or Patentees of all or any the Lands within the Bounds of the ſaid thirty thouſand Acres; and ſuch Survey ſo made, or the Record thereof, ſhall for ever hereafter be taken and deemed to be the Bounds of the ſaid thirty thouſand Acres, and of the Footland for the ſaid Town or Towns, and of the Common, and ſhall be concluſive and bind all Perſons whatſoever; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 1722.

Surveyors to be paid by Receiver-general,

XII. For which ſaid Survey the ſaid Surveyors ſhall be paid by the Receiver-general in Proportion, as is directed by the Laws of this Country, out of any of the Fund or Funds in his Hands unappropriated, or take up Money at Intereſt, at Twelve Pounds *per Centum per Annum*, for Payment of the ſame, which this or any future Aſſembly ſhall make good to him.

and 20 Negro Slaves out of each Pariſh to aſſiſt them on the Survey.

XIII. And foraſmuch as it is requiſite and neceſſary that the ſaid Surveyors ſhould be guarded and protected whilſt they are ſurveying the ſaid thirty thouſand Acres, and Town or Towns, and Common, in Manner as aforeſaid, and that they ſhould have ſufficient Slaves to aſſiſt them on the ſaid Survey, by clearing the Lines, and for building neceſſary and uſeful Barracks on the ſaid Land: Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commanding Officer in each of the Pariſhes of St. *Thomas in the Eaſt* and St. *Georges*'s, and he is hereby obliged and required to order and ſend out of each of the ſaid Pariſhes twenty able Negro Men Slaves to attend on the ſaid Surveyors for the Purpoſes aforeſaid, during ſuch Time as they ſhall be ſurveying the Land and Premiſſes aforeſaid. Provided, That not above one Negro Slave for every fifty Negroes be ſent out of any one Plantation, which ſaid Negroes before they be ſent out ſhall be valued by the ſaid Commanding Officer.

Receiver-general to provide Neceſſaries for Surveyors, &c.

XIV. And to the Intent that the Soldiers belonging to his Majeſty's independent Companies in this Iſland ſhould be ſent out as a Guard to the ſaid Surveyors, be it enacted by the Authority aforeſaid, That the Receiver-general for the time being be, and he is hereby obliged and required to provide all Neceſſaries for the ſaid Surveyors, Soldiers, and Negroes, during ſuch Time as they ſhall be employed in or about ſurveying the ſaid thirty thouſand Acres and Premiſſes; and likewiſe in caſe of the Death of any of the ſaid Soldiers or Negroes in that Time, provide or pay for a Recruit in the Room of ſuch Soldier ſo dying, and the Value of every Negro that ſhall die, to the Owner thereof, out of any Fund or Funds in his Hands unappropriated, or take up Money at Intereſt at Twelve Pounds *per Centum per Annum*, to pay the ſame.

In Default of Payment of Quit-rents, Lands to be againſt veſted in the Crown.

XV. And be it further enacted, That all Lands within the Tract deſcribed by the Plat hereunto annexed, other than the ſaid thirty thouſand Acres, for which the Quit-rents, from the feaſt of St. *Michael* the Archangel, in the Year One thouſand ſix hundred and ninety two, or within Eighteen Months after the firſt Day of *February*, One thouſand ſeven hundred and three, have not been paid, or that ſhall not be paid within Six Months after the paſſing of this Act, ſhall be, and the ſame, and every Part thereof, are hereby declared to be abſolutely veſted in your Majeſty, your Heirs, and Succeſſors.

Perſons owning Lands within the ſaid Tract, to make a Settlement within the Time herein preſcribed.

XVI. And all and every Perſon and Perſons having or claiming any Lands within the ſaid Tract, other than the ſaid thirty thouſand Acres, ſhall be, and is hereby obliged and required to make a Settlement on each Parcel he ſo hath or claimeth, within Two Years next after twenty Settlements are begun on the aboveſaid thirty thouſand Acres, and go on with the ſame without Intermiſſion; and in Default of ſuch Settlement, every Parcel of Land which ſhall not be ſettled accordingly, although the Quit-rents ſhould be paid, as is herein before directed, ſhall be veſted in your Majeſty, your Heirs, and Succeſſors, either for Non-payment of Quit-rents, or for not ſettling the ſame, as aforeſaid, together with all other Lands within the ſaid Tract, other than as aforeſaid, that by any Ways or Means whatſoever are now veſted in the Crown, ſhall be granted in the Name of his Majeſty, his Heirs, and Succeſſors, in the ſame Manner and Proportion, and under ſuch Proviſoes, Conditions, and Reſtrictions as the herein before mentioned thirty thouſand Acres are to be granted, and not otherwiſe; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Clauſe for Encouragement of Settlers.

XVII. And in Regard the firſt Settlers on the ſaid twenty Acres of *Ruther*'s or *Lynch*'s Iſland, and the ſaid firſt thirty thouſand Acres, may labour under ſome Difficulties; in order therefore to afford ſome Compenſation and Encouragement, be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, not having already a Plantation

Plantation or Settlement in this Iſland, who ſhall, within the Time prefixed, ſettle or be-
1722. gin a Settlement, either on that Part of the ſaid Iſland, or within the ſaid thirty thouſand Acres, every ſuch Perſon or Perſons ſo ſettling as aforeſaid, ſhall, during the Space of Three Years, be exempted and freed from all Aſſembly or Publick Taxes, as well as all Parochial Taxes whatſoever; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

№ 234. Expired. *An Act for repairing the Road leading from the Bog-walk Plantation in the Pariſh of St.* Thomas in the Vale, *to the Angel River in the Pariſh of St.* Catharine.

№ 235. Private. *An Act for encouraging the ſpeedy ſettling of the Plantation commonly called* Pero *or* Pera Plantation, *ſituate at* Port Morant *in the Pariſh of St.* Thomas in the Eaſt *in this Iſland; and for obliging all Perſons intitled to the Equity of Redemption thereof, to redeem the ſame by a prefixed Time.*

№ 236. Repealed. *An Act to augment the Salary of his Grace the Duke of* Portland.

№ 237. Repealed. *An Act for making his Majeſty's Revenue perpetual, and augmenting the ſame; and continuing and declaring what Laws are in Force in this Iſland.*

№ 238. Repealed. *An Act for the more effectual preventing of Frauds and Abuſes in collecting his Majeſty's Revenue.*

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№ 239. Expired. *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.*

№ 240. Expired. *An Act for raiſing ſeveral Sums of Money; and altering the Duty upon Indigo to be imported, and for applying ſuch Sums to ſeveral Uſes.*

№ 241. Expired. *An Act for fitting out a Sloop, or other Veſſel, for guarding the Sea Coaſts, and better Defence of this Iſland.*

№ 242. Expired. *An Act for granting an additional Revenue to his Majeſty, his Heirs, and Succeſſors, for the better Support of the Government of this Iſland.*

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№° 243.

An Act for dividing the Pariſh of Weſtmoreland *into two diſtinct Pariſhes, for the Eaſe of the Inhabitants.*

WHEREAS the Pariſh of *Weſtmoreland* is of ſuch large Extent, that the Inhabitants, without long Time of Warning, extraordinary Fatigue, Loſs of Time, and great Expence, cannot convene and appear on publick Occaſions, either at Church, Election of Members to ſerve as Repreſentatives in Aſſemblies, chooſing Church-wardens or Veſtrymen, laying on Taxes, appointing Surveyors, and many other Privileges, as Subjects of *England*, are thereby loſt: And whereas the Quantity of Land, Number of Settlements, and Inhabitants contained in the ſaid Pariſh, are ſufficient for two ſeparate and diſtinct Pariſhes; Be it therefore enacted and ordained by the Governor, Council, and Aſſembly of and for this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid Pariſh of *Weſtmoreland* be divided, and is hereby divided into two ſeparate and diſtinct Pariſhes, in Manner following; that is to ſay, That ſuch Part of the ſaid Pariſh as lieth on the South Side of the Place commonly called and known by the Name of *Negril by North*, by a dividing Line to be carried directly from *Negril* aforeſaid, unto *King's Valley River*, where the King's Road, leading to the North Side of this Iſland, cuts the ſaid River, and from thence, by a due Eaſt Courſe, to the River called *Great River*, ſhall be a diſtinct and ſeparate Pariſh, to be called and known by the Name of the Pariſh of *Weſtmoreland:* and to the Northward of the ſaid Place called *Negril by North*, by ſuch dividing Line as aforeſaid, unto the South Bounds of the Pariſh of St. *James*, ſhall be a diſtinct and ſeparate Pariſh, and is hereby called and to be known by the Name of the Pariſh of *Hanover*; which ſaid two Pariſhes ſhall be for ever hereafter taken and eſteemed, to all Intents and Purpoſes, two diſtinct Pariſhes, ſeparate from each other, and be reſpectively called and known by the Names of the Pariſhes of *Weſtmoreland* and *Hanover*, and reſpectively have, uſe, exerciſe, and enjoy all and every the Powers, Authorities, Benefits and Privileges, Rights, Immunities and Cuſtoms, that all or any of the Pariſhes or Precincts within this Iſland have, or ought to have, uſe, exerciſe, or enjoy of common Right, or by virtue of any general Act or Acts of this Country, as fully, amply, and effectually, as if they had been two diſtinct and ſeparate Pariſhes or Precincts, and therein by Name expreſly mentioned and ſpecified; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The Pariſh of *Weſtmoreland* divided into two Pariſhes.

II. And whereas it may be ſuppoſed that the Pariſh of *Weſtmoreland*, before the ſeparating and dividing thereof, was inbebted and in Arrear in taxing, levying, and paying ſome publick Debt or Sum of Money; and whereas there is already, before the dividing of the Pariſh, as aforeſaid, Money taxed, collected, or paid to the Church-wardens or Conſtables, therefore be it enacted and ordained by the Authority aforeſaid, That the Church-wardens which ſhall be next choſen for each of the two ſeveral and reſpective Pariſhes ſhall have and receive, ſue for and recover ſuch Proportion of the Money already taxed, levied, or paid, as was taxed, levied, collected, or paid in or by the Inhabitants of the Pariſh of *Hanover* before they were divided; and that each of the ſaid Pariſhes ſhall raiſe Money according to the Proportion aforeſaid, for the Payment and diſcharging ſuch Publick Debts as were due from the Pariſh of *Weſtmoreland* at the Time of dividing the ſame into two ſeparate and diſtinct Pariſhes; any Law Cuſtom, or Uſage in any wiſe to the contrary notwithſtanding.

Monies already duly collected, *&c.* to be divided between the two Pariſhes.

An Act for granting a Supply to his Majeſty for ſeveral Uſes.

№° 244.
Expired.

An Act for clearing Rio de Cobre.

№° 245.

WHEREAS the River called *Rio Cobre*, or the Town River, that paſſeth by St. *Jago de la Vega*, is, for ſeveral Miles together about the *Caymanas*, ſtopt up, and hath wholly loſt its own Channel, by means of the late terrible Hurricane and the extraordinary Floods, and by the Abundance of Trees and great Quantities of Rubbiſh that hath been fallen above upon the ſaid River, and upon other ſmall Rivers and Gullies that fall into the ſame, whereby the Road leading that Way from the Town of St. *Jago de la Vega*, and Pariſh of St. *Catharine*, to the Pariſh of St. *Andrew* and Town of *Kingſton*, may become dangerous, and in a great Meaſure obſtruct the Communication by Land, not only between the ſaid Towns and Pariſhes, but alſo between the Leeward and Windward Parts of this Iſland: Be it enacted therefore and ordained by the Governor, Council, and Aſſem-

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Governor, &c. to appoint Commiſſioners, who may lay a Tax on Perſons whoſe Eſtates are bounding on the River.

bly, and it is hereby enacted and ordained by the Authority of the ſame, That the Governor or Commander in Chief for the time being, be hereby impowered to iſſue out a Commiſſion in the Nature of a Commiſſion of Sewers, under the Broad Seal of this Iſland, thereby conſtituting and appointing Nine good and ſufficient Freeholders, ſuch as the Governor or Commander in Chief, as aforeſaid, with the major Part of the Council, ſhall think fit to nominate and chooſe out of the Pariſhes of St. *Catharine* and St. *Andrew*, whereof Five ſhall be a *Quorum*, one of which ſhall be a Juſtice of the *Quorum*; thereby giving and granting unto them, or any Five or more of them, full Power and Authority to aſſeſs, lay, and receive a reaſonable Tax upon and from the Lands, Negroes, and Cattle, or upon all or any of them, as to the ſaid Commiſſioners, or to any Five or more of them, ſhall ſeem juſt and convenient, of all Perſons whatſoever, who have any Lands bounding any ways upon the ſaid River, from the Plantation of Sir *John Moleſworth*, Bart. commonly called *Cow Park*, unto the Mouth of the ſaid River where it falleth into the Sea, or upon whoſoever ſhall receive any Advantage by clearing the ſaid River, towards the clearing the old Channel, or turning the preſent Courſe of it ſome other Way, by cutting a new Channel, as upon a due Survey of the Premiſſes ſhall ſeem moſt neceſſary, and which may be done with the leaſt Charge or Prejudice to any Perſon; and that the Limits of the ſaid Commiſſion to tax, be and extend upon all the Lands bounding on both Sides or either Side of the River, from the Plantation of Sir *John Moleſworth*, Bart. commonly called *Cow Park*, unto the Mouth of the ſaid River where it falleth into the Sea.

Commiſſioner's Oath.

II. And be it further enacted by the Authority aforeſaid, That every ſuch Perſon as ſhall be named a Commiſſioner in the ſaid Commiſſion, after he hath Knowledge thereof, ſhall take his corporal Oath to lay a reaſonable Tax upon all the Lands, Negroes, and Cattle, or upon any of them as aforeſaid; and that he will, to the beſt of his Skill and Knowledge, execute the ſaid Commiſſion; which Oath ſhall be taken before the Governor, or Commander in Chief, or before whom, by the King's Writ of *Dedimus Poteſtatem*, he ſhall appoint, or before the Juſtices of the Peace in the Quarter-ſeſſions of the Precincts where any of the ſaid Commiſſioners ſhall reſide; and whoſoever of the ſaid Commiſſioners ſhall refuſe to act as ſuch, according to the Direction of the ſaid Commiſſion, or to take the ſaid Oath, ſhall forfeit the Sum of One hundred Pounds.

Penalty on their refuſing to act.

Penalty on throwing any Rubbiſh into the River.

III. And further, That whoſoever ſhall wilfully fell any Trees, or caſt, or ſuffer the ſame to be caſt, as alſo any Cane, Traſh, or other Rubbiſh whatſoever into the ſaid River, or into any other River or Gully that ſhall come into the ſame, whereby the ſaid Stops ſhall be any ways increaſed, ſhall forfeit for every ſuch Offence the like Sum of One hundred Pounds; both which Forfeitures ſhall be, one third Part to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other two Thirds to whomſoever ſhall ſue for the ſame in any Court of Record within this Iſland, by Information or Action of Debt, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, towards the Expence of preventing the overflowing of the ſaid River, or towards the cutting of a new Channel, as aforeſaid; and that each of the ſaid Commiſſioners that ſhall meet and ſit, as aforeſaid, ſhall, for each Day they ſo ſit, receive towards their Expences Five Shillings *per Diem* out of the ſaid Monies, to be levied as aforeſaid.

Commiſſioner's Allowance.

Their Power.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners unto whom the Commiſſion, as aforeſaid, ſhall be directed, or any five or more of them, by virtue of the ſaid Commiſſion, and of this preſent Act, ſhall have full Power and Authority to ſee, ſurvey, and view the ſaid Lands, which by Occaſion of the ſaid Stops, and the ſeveral Breaches made in the Banks of the ſaid River, do uſe to be overflown, or any Part of them; and all the ſaid Lands, or their ſeveral Owners who poſſeſs any Lands, Negroes, or Cattle within the Bounds and Limits aforeſaid, to tax, rate, aſſeſs, and charge with ſuch Sum and Sums of Money, as well for the preſent clearing of the old Channel of the ſaid River, or for the making a new, if it ſhall be found neceſſary, as alſo for the keeping of it clear after it ſhall be cleaned or turned another Way; and that the ſaid Commiſſioners, or any Five or more of them, ſhall and may make and appoint diligent and able Surveyors, Collectors, and Overſeers, and ſuch other Officers as they ſhall think fit, to ſurvey and overſee, and to levy, receive, and lay our the Money to be levied and expended in and about the Premiſſes, and to do and execute whatſoever ſhall be needful and expedient to be done therein, according to the Directions and Orders which ſhall from time time be preſcribed by the ſaid Commiſſioners, or any Five or more of them, and to allow them for their Pains what ſhall be thought reaſonable: And alſo, that it ſhall and may be lawful for the ſaid Commiſſioners, or any Five or more of them, by Warrant under their Hands and Seals, to command the taking of any Cart, Wain, Negroes, or Wain-cattle of any Perſon within the Bounds and Limits of the ſaid Commiſſion, to help towards the clearing and removing the Premiſſes, or towards the making a new Channel.

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V. PROVIDED always, That the Owners of ſuch Carts, Wains, Negroes, or Wain-cattle are not then making Sugar, and that they take not above eight Negroes out of every fifty Negroes which are on any Plantation or Pen within the Bounds aforeſaid, and ſo proportionably for any greater or leſſer Number of Negroes, for the Space of any one Week out of a Plantation, and a Wain, Cart, or Wain-cattle for the ſame Time; and that the Owners of ſuch Carts, Wains, Negroes, or Wain-cattle, that ſhall be ſo taken and employed, be allowed out of their reſpective Taxes what ſhall be thought reaſonable for the Hire of them by the ſaid Commiſſioners, as aforeſaid. Proviſo.

VI. AND be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Five or more of them, by Warrants under their Hands and Seals, to give Authority to any Perſon or Perſons to levy the ſaid Sums of Money by them from time to time to be aſſeſſed upon the Perſons, Lands, Negroes, or Cattle, or upon all or any of them, as aforeſaid, by Diſtreſs and Sale of the Goods of ſuch Perſon or Perſons that ſhall not pay, or refuſe to pay the ſame, and the Overplus of the Value riſing upon ſuch Sale ſhall return to the Owner of the ſame; and in Default of ſuch Diſtreſs, to be taken and ſold, it ſhall and may be lawful for ſuch Collectors as ſhall be appointed by the ſaid Commiſſioners, or any Five or more of them, to ſue the Factor or Attorney of ſuch Perſon or Perſons as have Lands lying within the Limits aforeſaid; and that all Conſtables and Marſhals be aiding and aſſiſting in the levying all ſuch Taxes as ſhall be aſſeſſed and levied as aforeſaid, and that they receive Sixpence in the Pound for levying the ſame. Commiſſioners may appoint Collectors, &c.

VII. AND be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought againſt any Perſon or Perſons for taking any Diſtreſs, or Sale of the ſame, or for turning the Courſe of the River through any Perſon's Land, or for cutting a new Channel through the ſame, or any other Thing done by the Authority of this Act, the Defendant in ſuch Action or Suit ſhall plead this Act in bar, and thereupon Judgement ſhall be given for the Defendant. Perſons ſued for executing this Act, may plead the General Iſſue.

An Act for encouraging white People to come over and become Settlers in this Iſland, and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof. N° 246.

WHEREAS, from the Situation of this Iſland among ſo many potent and dangerous Neighbours, it is found neceſſary that all due Encouragement ſhould be given to white People to come hither and ſettle, in order not only to protect and defend it againſt ſuch its Neighbours in caſe of any Rupture with them, but alſo to improve and cultivate the waſte Lands therein, which will likewiſe add to the Trade as well as the Strength thereof, and be a great Security to this Colony, which, by its commodious Situation for Trade, the Fertility of its Soil, and other many natural Advantages, is of the utmoſt Conſequence to the Intereſt of the Crown of *Great Britain*, in this Part of *America*; We therefore, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, having ſincerely at Heart the Good and Welfare of this your Iſland, and the carrying on and perfecting ſo good a Work, which muſt certainly not only enrich and ſecure this your Majeſty's Iſland, but alſo conſiderably augment the Trade of *Great Britain*, do moſt humbly beſeech your Majeſty that it may be enacted, and be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That in order to encourage all ſuch Perſons as ſhall come over upon the Credit of this Act to become induſtrious, and Settlers and Planters in this Iſland, and more particularly in the North-eaſt Part thereof, the Sum of One thouſand Pounds, Part of the Fifteen hundred Pounds herein after to be raiſed, ſhall be applied to purchaſe Lands, according to the Intent, Meaning, and Direction of an Act of the Governor, Council, and Aſſembly of this Iſland, made in the Ninth Year of his preſent Majeſty's Reign, intituled, *An Act for ſettling the North-eaſt Part of the Iſland*; which ſaid Land ſhall be granted to ſuch new Comers and others who ſhall ſettle, according to the Direction of the ſaid Act. 1000 *l.* appropriated to the Settling of the Iſland.

II. AND that *William Croſs*, Eſq; or the Receiver-general for the time being, may be ſupplied with the Sum of Fifteen hundred Pounds to purchaſe the ſaid Land, and provide for ſuch new Comers as herein is directed, be it further enacted by the Authority aforeſaid, That the ſaid *William Croſs*, or the Receiver-general for the time being, ſhall and may borrow and take upon Loan at Intereſt, at and after the Rate of Twelve Pounds *per Cent. per Annum*, any Sum or Sums of Money not exceeding the Sum of Fifteen hundred Pounds, which the Perſon or Perſons ſo advancing the ſame, or any Part thereof, ſhall be repaid out of the firſt Money to be raiſed and applied for that Purpoſe, with Intereſt at and after he ſaid Rate; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Clauſe of Credit.

III. AND

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New Comers to be ſupplied with Proviſion.

III. AND whereas ſuch new Comers on their firſt Arrival may be deſtitute of the Means to ſupport, till the Land ſo to be allotted to them be fallen and planted with proper Proviſions, and till the ſaid Proviſions are grown up and become fit for Uſe, be it further enacted by the Authority aforeſaid, That the ſaid *William Croſs*, Eſq; or the Receiver-general for the time being, do, out of the Money ariſing by the Fund herein after to be raiſed, or the Money by him or them to be borrowed, as herein before is mentioned, till a ſufficient Sum may be raiſed by the ſaid Fund, provide two Barrels of Beef, and one Barrel of Flour, for each new Comer (Man or Woman) that ſhall come over and ſettle within Twelve Months from the firſt Day of *December* next, to be delivered at *Port Antony*'s, free of all Charges, and do provide proper Neceſſaries and Conveniencies for their travelling to the ſaid Tract of Land where they are to ſettle.

Limits of the Pariſh of *Portland*.

IV. AND the better to encourage all ſuch Perſons to become Settlers in the ſaid Tract of Land, and for the greater Conveniency and Eaſe of the Inhabitants therein, be it further enacted by the Authority aforeſaid, That the Parcel or Tract of Land, which is by the ſaid Act for ſettling the North-eaſt Part of this Iſland veſted, or to become veſted in his Majeſty, and is bounded North and North-eaſt by the Sea, from the Mouth of *White River* to the Weſtward of the Mouth of the River *Grandy*, thence directly South the Diſtance of fourteen Miles, then Eaſt till it meets *Swift River*, then up the ſaid River about the Diſtance of five Miles, thence South-eaſt forty nine Degrees to the Head of *Sulphur River*, and from thence on a ſtraight Line to *White River*, and alſo the Iſland called *Lynch*'s *Iſland*, ſhall be, and for ever hereafter be taken and eſteemd, to all Intents and Purpoſes, an entire and diſtinct Pariſh, ſeparate from the Pariſhes of St. *George* and St. *Thomas in the Eaſt*, and be called and known by the Name of the Pariſh of *Portland*.

This Act not to take any Lands from St. *George*'s Pariſh.

V. PROVIDED nevertheleſs, That no Clauſe or Clauſes in this or any former Act ſhall extend to take into the ſaid Pariſh any Lands in the Pariſh of St. *George*, that are already ſettled; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Privileges of the Pariſh of *Portland*.

VI. AND that the Town which is to be built on *Pattiſon*'s *Point*, be called and known by the Name of the Town of *Titchfield*; and that the ſaid Pariſh of *Portland* ſhall have, uſe, exerciſe, and enjoy all and every the Powers, Authorities, Benefits, Privileges, Rights, Immunities, and Cuſtoms, that all or any of the Pariſhes or Precincts within this Iſland have, or ought to have, uſe, exerciſe, or enjoy of common Right, or by virtue of any general Act or Acts of this Iſland, as fully, amply, and effectually, as if the ſame had then been a diſtinct and ſeparate Pariſh or Precinct, and therein by Name expreſly mentioned and ſpecified; and particularly, that there ſhall be a Parſon maintained at the publick Expence of this Iſland for the Space of three Years, after ſuch Settlement begun there, who ſhall be reſident in the ſaid Pariſh of *Portland*, and ſhall be allowed for his Maintenance or Salary Two hundred Pounds, current Money of this Iſland, *per Annum*, to be paid him quarterly, during the firſt three Years aforeſaid, out of the Fund or Funds already ariſen, or hereafter to ariſe, and unappropriated; and that after the ſaid three Years are ended and expired, the ſaid Salary of Two hundred Pounds *per Annum* ſhall be paid him by the ſeveral Inhabitants of the ſaid Pariſh, in like Manner and Form as in and by an Act of this Iſland, intituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*, is mentioned and provided; and after the ſaid three Years ended, there ſhall be choſen two Repreſentatives to ſerve in Aſſemblies thereafter, or after the firſt Prorogation of the Aſſembly then in being for the Pariſh of *Portland*; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Quarter-ſeſſions, *&c.* to be held at *Titchfield*.

VII. AND be it further enacted, That from and after the firſt Day of *December*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and twenty ſix, for the Eaſe of all the Inhabitants and People of the ſaid Pariſh of *Portland*, there be erected, eſtabliſhed, and held in the ſaid Town of *Titchfield* a Quarter-ſeſſions for the Conſervation of the Peace, and a Court of Common-pleas, with the ſame Power and Authority that is or hath been uſed, held, or exerciſed in any the inferior Courts in any other Pariſh or Precinct within this Iſland; which ſaid Court ſhall be held the firſt time on the ſecond *Thurſday* in *January*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and twenty ſix, and afterwards once every two Months, and the Seſſions every three Months; any thing in this or in any other Act to the contrary notwithſtanding.

Port Antony a Port of Entry, *&c.*

VIII. AND be it further enacted by the Authority aforeſaid, That for the Encouragement of Trade, and the Conveniency of the ſaid Town and Pariſh, from and after the firſt Day of the ſaid Month of *December*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and twenty ſix, the Port called *Port Antony* ſhall be a Port of Entry and Clearance of all Ships and Veſſels.

Perſons ſettling in this Part of the Iſland, exempted from Taxes, *&c.*

IX. AND for the further Encouragement of all ſuch new Settlers, in regard they may labour under ſome Difficulties by reaſon of their great Diſtance from the Supreme Court of Judicature, eſpecially at their firſt ſettling the ſame, be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, not having already a Plantation or Settlement in this Iſland, who ſhall, within the Times in the ſaid Act for ſettling the North-

North-east Part of this Island prefixt, settle, or begin and carry on a Settlement on that Part of the Island hereby erected into and created a Parish, That every such Person or Persons, so settling as aforesaid, shall, during the Space of three Years next after their said Settlement begun, be exempted and freed from all Kinds of Suits, Arrests, and Actions whatsoever, and from all Assembly or Publick Taxes whatsoever, and also from all Parochial Taxes for the Space of three Years, from and after the first Day of *December* now next ensuing; any Law, Custom, or Usage to the contrary thereof in any wise notwithstanding. 1723.

X. And whereas so necessary and useful a Work cannot be perfected without a considerable Charge to this Island, and the Direction and Care of Commissioners, who are Men of Integrity and Skill, to direct, supervise, and manage the same; be it therefore further enacted by the Authority aforesaid, That the *Custos's* for the time being of the two next adjacent Precincts to the said Land (to wit) St. *Thomas* and St. *George*'s, and *Richard Bathurst*, *Jasper Ashworth*, and *Robert Hamilton*, Esqrs. and *James Passley* of the Parish of St. *George*, Planter, and *John Le Gay*, and Dr. *James Milsdon*, be and are hereby appointed Commissioners, whereof any Three or more of them are to be a *Quorum*, for appointing and directing Surveyors to ascertain, lay out, and allot Land to each several Settler, after the same hath been or shall be run out, according to the Direction of the said Act for settling the North-east Part of this Island. Who are to be Commissioners to allot Land to the Settlers.

XI. And be it further enacted by the Authority aforesaid, That the Commissioners aforesaid hereby appointed, or any Three of them, shall be and are hereby impowered and required finally to determine and adjudge all Matters of Dispute or Variance, arising between the said new Settlers or Inhabitants, in a summary Manner, without any Appeal, for and during the Space of three Years next from and after the first Day of *December* next. Commissioners to determine Disputes, &c.

XII. And be it further enacted by the Authority aforesaid, That all and every the said Commissioners are hereby required, within six Weeks after the passing of this Act, and Notice thereof, under the Penalty and Forfeiture of One hundred Pounds, to take an Oath before the Governor, or Commander in Chief, or such other Persons, to whom he shall direct his Majesty's Writ of *Dedimus Potestatem* for that Purpose, that he or they shall severally and respectively, duly, faithfully, and truly execute and discharge the Duty of a Commissioner, according to the true Intent and Meaning of this Act. Penalty on Commissioners not performing their Duty.

XIII And whereas at present it is not known that the Act for settling the North-east Part of this Island hath as yet received his Majesty's Royal Assent, whereby People may be deterred in settling of that Part of this Island, and others discouraged from coming to settle: For the Advancement therefore of so good a Work, be it enacted by the Authority aforesaid, That in case his Majesty should be pleased to dissent to the said Act, so that such as shall go upon the Encouragement thereof, and settle there, be afterwards obliged to quit their Settlement, they shall be paid for every Acre they shall clear and plant within the Tract described by the said Act, Ten Pounds, and for every Acre they shall have cleared and not planted, Five Pounds, and for every House, Store-house, or Wharf, treble the Value of each House, Store-house, or Wharf, to be valued upon Oath by the Commissioners herein named, or three of them; and for every Negroe, *Indian*, Mulatto, Man or Woman, that shall die or be lost in that so useful and necessary a Service, Thirty Pounds out of any Fund or Funds already raised and unappropriated, or that may hereafter be raised: And in case there are not Funds sufficient to answer those Ends, that then, and in such case, it shall and may be lawful to and for the Receiver-general for the time being to borrow Money at Twelve Pounds *per Centum per Annum*, to pay the same, which this or any future Assembly will make good; and upon the Receiver-general's neglecting or refusing to pay unto each Person what shall be due or owing as aforesaid, that then, and in such Case, such Person shall be paid such Money, with Ten Pounds *per Centum per Annum* Interest, until he or they shall receive full Satisfaction for such their Demand. Clause to indemnify Persons settling, in case this Act should not receive the Royal Assent.

XIV. And be it further enacted by the Authority aforesaid, That all the said Sums to be paid for any Land so as aforesaid cleared and planted, shall be paid by the Proprietor or Owner of such Land within two Months after his Majesty's Disallowance shall be known in this Island; and in case he or they shall delay to refuse to pay as aforesaid, they shall lose their whole Run of Land; and the Person or Persons having such Demand, for falling, clearing, planting, or building, shall have, hold, occupy, and enjoy the same, to him, his, or their Heirs for ever; any Law, Custom, or Usage to the contrary in any wise notwithstanding. And in case this Act should likewise be rejected, then this or any future Assembly will pay the same in Manner as is herein before particularly mentioned. Owners of Land planted to pay for the same within two Months after his Majesty's Disallowance.

XV. And whereas the Time limited in this Act, intituled, *An Act for settling the North-east Part of the Island*, for the surveying of the said thirty thousand Acres, is elapsed; and to the Intent the same Survey may be ascertained without Delay; be it enacted by the Authority aforesaid, That the Surveyors do, and are hereby obliged, within eighteen Months after the passing of this Act, to make a perfect Survey of the said thirty thousand Acres, and also of all the whole Tract of Land called *Portland Parish*, by a separate and marked dividing Line, according to the Directions in the said Act. Surveyor to make a Survey within 18 Months.

1723. No Perſon to forfeit any Lands for not ſettling in leſs than 2 Years.

XVI. PROVIDED always, No Perſon or Perſons ſhall forfeit any Run or Runs of Land he hath in the ſaid Tract of Land, for not ſettling in leſs Time than two Years after the ſaid thirty thouſand Acres be actually run out by a ſeparate marked Line, and the twenty Settlements by the ſaid Act to be made, be begun; any thing in this or any other Act, mentioned to the contrary notwithſtanding.

N° 247. *An Act for the Eaſe of the Inhabitants of the Pariſh and Precinct of St.* Elizabeth.

WHEREAS it very much conduceth to the Eaſe of the Inhabitants of each Pariſh and Precinct in this Iſland, that the Seſſions of the Peace, Elections, Courts of Common-pleas, and Veſtries for the ſaid Pariſhes and Precincts be held and kept in the Places moſt convenient in and neareſt the Centre of each ſeveral Pariſh and Precinct: And whereas the Place of holding the Seſſions, Elections, Courts of Common-pleas, and Veſtries for the Pariſh and Precinct of St. *Elizabeth*, ever ſince the dividing the ſame into the three Pariſhes of *Weſtmoreland*, *Hanover*, and St. *Elizabeth*, has been in the Place formerly accuſtomed and uſed for that Purpoſe; which ſince the ſaid Diviſion is now become near the one Side or extreme End of the ſaid Pariſh of St. *Elizabeth*, and is thereby no ſmall Hardſhip on, and Inconvenience to the Inhabitants of the ſaid Pariſh, who live as well in the Centre as in the other Side or extreme End thereof, ſome of whom are at leaſt fifty Miles Diſtant from the Place where the ſaid Seſſions, Elections, Courts of Common-pleas, and Veſtries are now held: And whereas there is a Court-houſe now built on Land, belonging to the ſaid Pariſh, in a certain Place called *La Covia*, which is as near as may conveniently be to the Middle or Centre of the ſaid Pariſh; to the Intent therefore that the like Inconveniencies may be prevented for the future, and for the greater Eaſe of the Inhabitants of the ſaid Pariſh of St. *Elizabeth*, may it pleaſe your Majeſty that it may be enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That for the future all Seſſions of the Peace, Elections, Courts of Common-pleas, or Veſtries hereafter to be held and kept in and for the ſaid Pariſh and Precinct of St. *Elizabeth*, be kept and held at *La Covia*; and that no *Cuſtos*, Juſtice of the Peace, or Veſtryman for the ſaid Pariſh or Precinct of St. *Elizabeth*, do preſume to call, hold, or keep any Quarter-ſeſſions of the Peace, Veſtries, Elections, or Courts of Common-pleas at any other Place whatſoever in the ſaid Pariſh, except at *La Covia*, under the Penalty and Forfeiture of One hundred Pounds current Money of this Iſland, for each Offence contrary to the Intent of this Act; the ſaid Penalties or Forfeitures to be recovered in any Court of Record in this Iſland, by Action, Bill, Plaint, or Information, wherein no Eſſoin, Injunction, Protection, Imparlance, or Wager of Law ſhall be allowed; the one Half of all ſuch Forfeitures to be to the King's Majeſty, his Heirs and Succeſſors, for and towards the Support of his Majeſty's Government in this Iſland; the other Half to all and every Perſon or Perſons who ſhall inform or ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Seſſions of the Peace, &c. to be held at *La Covia*; and in no other Place on Penalty of 100*l.*

II. AND be it further enacted by the Authority aforeſaid, That the Church-wardens of the Pariſh of St. *Elizabeth* do forthwith pay the Charge of paſſing this Law, and that the ſame may be allowed out of the Pariſh Stock.

Church-wardens to pay the Charge of paſſing this Act.

N° 248. *An Act for the more effectual ſuppreſſing of rebellious and runaway Slaves, and for regulating Parties to be ſent out for that Purpoſe.*

Expired.

1724. N° 249. Expired.

An Act for reviving an Act, intituled, An Act for raiſing a Revenue to her Majeſty, her Heirs and Succeſſors, for the Support of the Government of this Iſland, and for maintaining and repairing her Majeſty's Forts and Fortifications; *and all other Acts and Laws of* Jamaica *that expired with*

with the ſaid Act on the firſt Day of October, *in the Year of our Lord One thouſand ſeven hundred and twenty four.* 1724.

An Act for granting an Additional Revenue to his Majeſty, his Heirs and Succeſſors, for the better Support of the Government of this Iſland. № 250. Expired.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame, and other Sums, to ſeveral Uſes. № 251. Expired.

An Act for laying out a Road, from a Place called the Cave, *in the Pariſh of* Weſtmoreland, *to the Weſt End of the Pariſh of St.* James. № 252.

WHEREAS the preſent Highway from the *Cave* in the Pariſh of *Weſtmoreland*, to the Weſt End of the Pariſh of St. *James*, by reaſon of the Quickſands along the Sea Shore, the ſeveral rapid Rivers that Travellers are obliged to wade through, and the Length of Way, which proves very inconvenient and dangerous to the ſeveral Inhabitants of the ſaid Pariſh, and others, who are obliged to travel it at all Times and Seaſons of the Year on publick Services and otherwiſe: And foraſmuch as a far ſhorter, more commodious, and ſafe Way may be laid out, from the *Cave* in the Pariſh of *Weſtmoreland*, to the ſaid Weſt End of the Pariſh of St. *James*, Your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this Your Iſland of *Jamaica*, moſt humbly beſeech Your Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That a Highway or Road be, with all convenient Speed, run out, cut, and made, leading from the *Cave* aforeſaid, over the Mountains, to the Weſt End of the Pariſh of St. *James*, ſixty Feet in Breadth; which ſaid Road ſhall be well cleared, at the Expence of the reſpective Pariſhes through which the ſame ſhall run, in ſuch Sort and Manner as by the Commiſſioners hereinafter named, or any Three or more of them, ſhall be thought convenient. A new Road to be cut from the *Cave* to St. *James*'s;

II. AND the ſaid Highway or Road being ſo run out, cut, and made, ſhall for ever after be deemed and taken as a publick Road; and ſhall, as often as Occaſion requires, be maintained, repaired, cleared, and kept in good Order by the Way-wardens of the Pariſhes of *Weſtmoreland*, St. *James*, and *Hanover*, ſo far as the ſaid Road ſhall be found in either of the aforeſaid Pariſhes to extend. which is to be deemed a publick Road, &c.

III. AND to prevent all Diſputes which may ariſe about the Bounds of the Pariſhes aforeſaid, or otherwiſe touching the Execution and Performance of this Law, be it further enacted and ordained by the Authority aforeſaid, That *Peter Beckford*, *John Moore*, *John Blagrave*, *Hugh Kirkpatrick* ſenior, *John Lawrence*, *John Graves*, *Thomas Wollery*, *Samuel Barnett*, *Henry Reeves*, and *Hugh Kirkpatrick* junior, or any Three or more of them, be and are hereby appointed Commiſſioners to put this Act in Execution; which ſaid Commiſſioners, or any Three or more of them, ſhall and are hereby required to meet at *Queen's Town* in the Pariſh of *Weſtmoreland*, or at ſuch other Place as to them, or any Three or more of them, ſhall ſeem convenient, within twelve Months after the paſſing of this Act, to chooſe and appoint a Surveyor, who ſhall immediately proceed to the running out of ſuch a Highway or Path, as by this Act is appointed, with the moſt Conveniency to the Publick, and the leaſt Prejudice to any particular Perſon, from the *Cave* in the Pariſh of *Weſtmoreland* aforeſaid, to the Weſt End of the ſaid Pariſh of St. *James*; and in caſe the Surveyor to be choſen by the Commiſſioners, or any Three or more of them, ſhall neglect or refuſe immediately to proceed in the running out of the ſaid intended Highway or Road aforeſaid, then he ſhall, for ſuch Neglect or Refuſal, forfeit Fifty Pounds. Commiſſioners appointed for executing this Act.

IV. AND the ſaid Surveyor ſo choſen and appointed, is hereby further required ſo ſoon as he hath finiſhed the ſaid Path or Line for a Highway, to make a Return to the ſaid Commiſſioners, or any Three of them, who ſhall cauſe the ſame to be recorded by the Clerk of the Peace of each of the ſaid Pariſhes; and that the ſaid Surveyor ſhall be paid by the Church-wardens of each Pariſh for the Work by him ſo to be done on Account of each Pariſh, as ſhall be adjudged by the Commiſſioners aforeſaid, or any Three or more of them, out of the Surveyor to make a Return of the Path, when laid out, to the Commiſſioners, &c.

1724.

the Pariſh Stock reſpectively, together with all other the Charges to the reſpective Officers for paſſing or putting this preſent Act in Execution, not herein before otherwiſe provided for; and every Church-warden refuſing to pay ſuch Sum or Sums of Money as ſhall be adjudged by the ſaid Commiſſioners, or any Three or more of them, to be paid as aforeſaid, ſhall forfeit the Sum of One hundred Pounds; to be recovered in Manner herein after mentioned.

Two Copies of the Return to be fairly drawn out, and one of them ſent to the Way-wardens of each Pariſh, &c.

V. AND it is hereby further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Three or more of them, having received the Return of the Surveyor as aforeſaid, ſhall cauſe two Copies of the ſame to be fairly drawn out, one whereof they ſhall forthwith ſend to the Way-wardens of the Pariſh of *Weſtmoreland*, and the other to the Way-wardens of the Pariſh of St. *James*, with ſtrict Orders to each and every of them in Writing, that they immediately proceed to the cutting down and clearing the ſaid Highway, ſo as the ſame may be compleated and finiſhed within three Years after the paſſing this Act: And for the better effecting thereof, the ſaid Way-wardens of the ſaid Pariſhes, and every of them reſpectively, are hereby authorized to iſſue out their Warrants to the Conſtables and Tythingmen to warn all the Inhabitants of the ſaid Pariſhes to furniſh ſuch Numbers of able Negroes, together with ſuch a Number of white Men Drivers to overſee them, as ſhall be appointed by the Commiſſioners in this Act mentioned, or any Three or more of them, together with ſuch Tools, Proviſions, and other Neceſſaries, as ſhall be thought by them needful for carrying on the ſaid Work, and finiſhing the ſame within the Time herein appointed; and whoſoever ſhall neglect or refuſe to ſend his or her Proportion of able working Slaves with ſuch Tools and Neceſſaries as ſhall be appointed by the ſaid Commiſſioners, or any Three or more of them, ſhall, for every Slave ſo wanting, pay Three Shillings and Nine Pence *per* Day; to be recovered before any Juſtice of the Peace, as in Caſes of Forty Shillings; any thing in this, or in any other Act or Law to the contrary thereof notwithſtanding.

Penalty on Way-wardens neglecting their Duty,

VI. AND if the ſaid Way-wardens, or any of them, ſhall refuſe or neglect to do his or their Duty in cutting or clearing the ſaid Highway to the Extent of their reſpective Bounds, as is hereby appointed, he or they ſo offending, ſhall reſpectively forfeit the Sum of Two hundred Pounds, current Money of this Iſland.

and on all other Officers.

VII. AND in caſe the ſaid intended Highway ſhall be neglected, and not maintained in good Repair by the ſucceeding Way-wardens, he or they ſo offending therein, ſhall reſpectively lie under the Pains and Penalties provided in an Act of this Iſland, intituled, *An Act for the Highways*. And if any Surveyor or Commiſſioner by this Act appointed, ſhall neglect his or their Duty touching the Premiſſes, or any Part thereof, he or they ſhall reſpectively forfeit the Sum of Fifty Pounds: And if any Conſtable or Tythingman ſhall neglect his or their Duty, they ſhall reſpectively forfeit Twenty Pounds: All which ſaid Forfeitures herein before mentioned, ſhall be one Half to the Informer, or to him or them that ſhall ſue for the ſame; the other Half to the Commiſſioners, or any Three of them, for the Uſe of the ſaid Highway.

Forfeitures how to be recovered.

VIII. AND all Forfeitures in this Act mentioned, not exceeding Forty Shillings, ſhall be recovered by the ſaid Commiſſioners, or any of them, before any Juſtice of the Peace; and all above that Sum, by Action of Debt, Bill, Plaint, or Information in any Court of Record in this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

№ 253. *An Act for building one or more Bridge or Bridges over* Rio Cobre, *or at the* Bog-walk, *in the Pariſh of St.* Thomas in the Vale; *and repairing the Roads to* Sixteen Mile Walk.

WHEREAS, by the Depth and Rapidity of the River called *Rio Cobre* (which runs croſs the common Highways and Roads, from the Pariſh of St. *Thomas in the Vale*, to the Pariſh of St. *Catharine*) and its often Overflowing in many Places, the Highway or Road, commonly called the *River Road*, becomes unſafe to travel; and the ſaid River cannot be paſſed over without the Hazard of Life and Goods, for want of convenient, good, and ſufficient Bridges in the ſaid Highways, to build and erect which there is no Law now in Force; therefore may it pleaſe your Majeſty that it may be enacted, and it is hereby enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, That for ſeven Years next following, and no longer, the Hon. *William Nedham*, *John Blair*, *Thomas Beckford*, *John Stewart*, *John Kelly*, *Edward Charlton*, *Polyntz Bundleſs*, *Robert Tredwey*, *John Hudſon Guy*, *Peter Beckford*, *Robert Nedham*, *James Haywood*, *Matthew Gregory*, *Edmond Kelly*, *Andrew Campbell*, *Lawrence Halſted*, *George Reid*,

Commiſſioners appointed for building Bridges over *Rio Cobre* River.

Reid, *James Laws*, *John Ruſſel*, *John Wallin*, and *James Hair*, Eſquires, ſhall have full Power and Authority, by Order or Warrant under the Hands and Seals of all or any Eleven of them, to cauſe to be erected and built one or more new Bridge or Bridges in any Place or Places in the ſaid Highway or Road, commonly called the *River Road*, or elſewhere over the ſaid River. 1724.

and to amend the *River Road*, and levy a Tax to defray the Expence thereof.

II. And alſo to repair and amend the ſaid *River Road*, as they, or any Eleven of them ſhall judge fit and neceſſary, and ſo declare by ſuch Order as aforeſaid; and by their ſaid Order to charge, aſſeſs, and tax every Inhabitant within the ſaid Pariſh of St. *Thomas in the Vale*, and ſuch Part of the Pariſh of St. *Catharine* as lies on the other Side of *Rio Cobre*; and ſhall make uſe of the Bridge or Bridges, ſo to be built, to ſuch reaſonable Aid and Sums of Money as they, or any Eleven of them ſhall think fit, convenient, and ſufficient to erect and build ſuch Bridge or Bridges, and repair and amend the ſaid Road, or for laying out and clearing ſuch new Road.

The Names of Perſons taxed to be written in a Roll, &c.

III. And after ſuch Taxation made, the ſaid Commiſſioners, or any Eleven of them, ſhall cauſe the Names of every particular Perſon ſo by them taxed to be written in a Roll; and ſhall alſo have Power and Authority to make one or more Collector or Collectors to collect all ſuch Sum or Sums of Money by them ſet and taxed; which ſaid Collector or Collectors receiving one Part of the ſaid Roll under the Seals of the ſaid Commiſſioners, or any Eleven of them, ſhall have full Power and Authority to collect and receive all the particular Sums of Money therein contained; and to diſtrain every ſuch Inhabitant as ſhall be taxed, and refuſe Payment thereof, in his Negroes, Goods, or Chattels; and to ſell ſuch Diſtreſs, and out of the Sale thereof, retain and receive all the Money taxed, and the Reſidue (if the ſaid Diſtreſs be better) to deliver to the Owner thereof.

Commiſſioners to contract with Workmen.

IV. And that the ſaid Commiſſioners, or any Eleven of them, ſhall have full Power and Authority to agree and contract with Workmen to build and erect ſuch Bridge or Bridges, and for all Materials that ſhall be by them adjudged material or neceſſary for the building or erecting ſuch Bridge or Bridges.

Collectors to account with Commiſſioners.

V. And that the ſaid Collector or Collectors ſhall pay all the Money taxed and by them received unto the ſaid Commiſſioners, or any Eleven of them; and the ſaid Collector or Collectors, his or their Executors, Adminiſtrators, or Aſſigns, and the Executors, Adminiſtrators, or Aſſigns of them, and every of them, ſhall make a true Declaration and Account to the ſaid Commiſſioners, or any Eleven of them, of the Receipts, Payments, and Expences of the ſaid Sums of Money; and if they refuſe ſo to do, that the ſaid Commiſſioners, or any Eleven of them, from time to time, by their Diſcretion, ſhall have Power and Authority to make Proceſs againſt the ſaid Collector or Collectors, and every of them, their Executors and Adminiſtrators, and the Executors and Adminiſtrators of every of them, by Attachment under their Hands and Seals, returnable before them, or any Eleven of them, at ſuch Time and Place as they ſhall appoint; and if they appear, then to compel their Account, as is aforeſaid, or elſe if they or any of them refuſe ſo to do, then to commit each of them as ſhall refuſe, to the common Gaol of St. *Jago de la Vega*, there to remain, without Bail or Mainprize, till the ſaid Declaration and Account be truly made.

Penalty on Provoſt-marſhal not ſerving Commiſſioners Proceſs.

VI. And the Provoſt-marſhal General of this Iſland, by himſelf, or his lawful Deputies, ſhall truly ſerve and execute ſuch Proceſs as ſhall come at their Hands from the ſaid Commiſſioners, or any Eleven of them, according to the Tenor and Effect of the ſaid Proceſs to them directed, without Favour or Affection, upon Pain to make ſuch Fine as ſhall be put upon them, or any of them, by the Diſcretion of the ſaid Commiſſioners, or any Eleven of them.

Collectors Coſts and Charges to be allowed them.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Eleven of them, ſhall have full Power and Authority to allow ſuch reaſonable Coſts and Charges to the ſaid Collector or Collectors, as by their Diſcretion ſhall be thought convenient; and that the ſaid Collector or Collectors by the ſaid Commiſſioners, or any Eleven of them nominated, ſhall immediately take upon him or them the Duty of Collector or Collectors in ſuch Manner as is herein directed, and proceed to the Collection of the Money ſo taxed as aforeſaid, on Pain of making ſuch Fine as ſhall be put upon them, or any of them, at the Diſcretion of the ſaid Commiſſioners, or any Eleven of them.

Commiſſioners may ſummon Inhabitants to ſend Negroes to amend the Road.

VIII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Eleven of them, be, and are hereby impowered and authorized, at any convenient Time or Times, to iſſue forth their Warrants to the Conſtable or Conſtables of the Pariſh of St. *Thomas in the Vale*, to warn the ſeveral Inhabitants of the ſaid Pariſh, and of ſuch Part of the ſaid Pariſh of St. *Catharine* as lies on the other Side of *Rio Cobre*, and ſhall make uſe of the Bridge or Bridges ſo to be built as aforeſaid, to ſend one able Negro Man for every fifty Negroes, and ſo in Proportion for a greater or leſſer Number, to be and appear on a certain Day, and at a certain Place therein to be mentioned, in order to work in the repairing and amending the ſaid Road, until the ſame ſhall be compleated and made paſſable.

1724.

Penalty on Inhabitants not ſending their Negroes, &c.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, upon due Notice given him, her, or them, by Conſtable or Conſtables as aforeſaid, ſhall refuſe or neglect to ſend his, her, or their due Complement or Proportion of good able working Negroes, with proper and convenient Tools, he, ſhe, or they ſo refuſing ſhall forfeit the Sum of Five Shillings *per* Day for every Negro wanting; which ſaid Forfeitures ſhall be recovered by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any Eleven of them; and in caſe any Perſon or Perſons ſhall ſend his Negro or Negroes without convenient Tools, he, ſhe, or they ſo offending, ſhall, for every Day each Negro ſhall be without convenient Tools, forfeit Five Shillings; to be recovered by Diſtreſs and Sale thereof, in ſuch Manner and Form as the Money herein before to be taxed is directed to be levied.

In caſe of Death, &c. new Commiſſioners to be choſen.

X. And be it further enacted by the Authority aforeſaid, That in caſe of the Death or Abſence from this Iſland of any of the ſaid Commiſſioners during the Time aforeſaid, in every ſuch Caſe it ſhall and may be lawful for ſuch and ſo many of them as ſhall be in this Iſland, or the major Part of them, to chooſe one or more Perſons in the Room of him or them that ſhall be dead or abſent, and he or they ſo choſen ſhall have equal Power and Authority with the other Commiſſioners, and to all Intents and Purpoſes be deemed and taken as one of them.

Commiſſioners impowered to cut Timber for building the Bridges, &c.

XI. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Eleven of them, have full Power and Authority, and they are hereby accordingly impowered and authorized, by themſelves, or any of them, or by any Perſon or Perſons, Labourers, or others, by them, or any Eleven of them nominated or appointed, to cut, carry away, or make uſe of all ſuch Timber and other Wood and Stone as may be convenient, uſeful, or neceſſary for building or erecting the ſaid Bridge or Bridges, or repairing or amending the ſame, or the ſaid High Road, or for burning of Lime for the Uſe of the ſaid Bridges or Road; and alſo to dig Stone, Gravel, Clay, Marl, Sand, or Earth, in any Land (not planted) that they ſhall think neceſſary or convenient; and the Lime ſo burnt, Stone, Gravel, Clay, Marl, Sand, or Earth ſo dug, to carry away, and uſe towards the building and prepairing the ſaid Bridge or Bridges, or the ſaid High Road, without the Lett, Suit, Trouble, Moleſtation, or Hindrance from any Perſon or Perſons whatſoever.

Perſons ſued may plead this Act in bar.

XII. And in caſe any Perſon or Perſons ſhall implead, ſue, perplex, or trouble, the ſaid Commiſſioners, or any of them, or any Perſon or Perſons by them, or any Eleven of them employed, authorized, or impowered, for any Cauſe, Matter, or Thing whatſoever, by him or them done in purſuance of this Act, every Perſon or Perſons impleaded, ſued, perplexed, vexed, or troubled, ſhall and may give this Act in Evidence, or plead it in Bar to any Suit or Suits, Action or Actions ſo to be brought as aforeſaid; and that it ſhall be allowed by all and every Judge and Judges, before whom ſuch Action or Actions, Suit or Suits, ſhall be commenced or proſecuted, under the Penalty of One hundred Pounds; and the Perſon or Perſons ſo ſuing, impleading, or proſecuting, ſhall pay treble Coſts, Charges, and Expences, which the Party or Parties ſued, impleaded, or proſecuted ſhall be at; to be recovered by Action of Debt, Bill, Plaint, or Information in the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, Injunction, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Proviſo.

XIII. Provided always, That nothing in this Act contained ſhall be conſtrued, deemed, or taken to extend to, or Charge any Perſon or Perſons whatſoever, or their Eſtates, with the Payment of any Sum or Sums of Money, for or towards the erecting, building, or ſupporting of any of the Bridge or Bridges ſo intended to be erected, built, or ſupported, as aforeſaid, ſave only ſuch Perſons or Owners, or Proprietors of ſuch Plantations in the ſaid Pariſh of St. *Thomas in the Vale*, as ſhall make uſe of the ſame; any thing herein contained to the contrary notwithſtanding.

Charges of Paſſing this Act, by whom to be paid.

XIV. And be it further enacted by the Authority aforeſaid, That all Fees and Charges to the reſpective Officers for paſſing of this Act, ſhall be paid out of the Stock of the Pariſh of St. *Thomas in the Vale*, by the Church-wardens of the ſaid Pariſh.

Forfeitures how to be gathered and applied.

XV. And be it further enacted by the Authority aforeſaid, That all the Fines and Forfeitures ariſing or to ariſe by Virtue of this Act, ſhall be collected and gathered in ſuch Manner as the ſaid Commiſſioners, or any Eleven of them ſhall direct and appoint; to be applied towards repairing and maintaining the ſaid Bridge and Bridges, and Road; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

An Act for veſting the Equity of Redemption of certain Lands in the Pariſh of St. Thomas in the Vale, *late the Eſtate of Mr.* Thomas King *deceaſed, in* Andrew Arcedeckne *and* Alexander Henderſon, *Eſquires, and their Heirs; and for enabling them to ſell and diſpoſe of the ſaid Lands, for the Payment of the ſaid* Thomas King's *Debts.*

1724. N° 254. Private.

An Act for the more effectual and ſpeedy collecting the ſeveral Out-ſtanding Publick Debts of this Iſland.

N° 255. Expired.

An Act for the more effectual Encouragement of the ſettling of this Iſland, and ſecuring the Sea Coaſts thereof.

N° 256.

WHEREAS the Settling and Inhabiting the Sea Coaſts and other waſte Lands of this Iſland, is of the greateſt Conſequence to it; and the Deſtruction of ſuch Settlements, and the Impoveriſhment of their Owners, is not only a great Loſs to the Iſland, and its Trade and Credit in general, but is the greateſt Diſcouragement from ſettling near the Sea Coaſt, on whoſe Safety and Security the Value of the Eſtates in the Centre of the Iſland does in a great Meaſure depend: And there being nothing more reaſonable than that the Loſs of thoſe who are ſituated on the Frontiers and other out and waſte Parts of the Iſland, by which they become a Guard and Barrier to the Whole, ſhould be borne by the Publick; may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That Three fourth Parts of all Loſſes which ſhall be ſuſtained by the Inhabitants or Owners of Plantations or Settlements in this Iſland, and which ſhall be occaſioned either by Pirates or rebellious Negroes, ſhall be made good and compenſated to every ſuch Inhabitant or Owner by the Publick; which Reparation ſhall be raiſed by a Tax upon Negroes, to be aſſeſſed and collected in ſuch Manner and Form as was directed and appoint by an Act, intituled, *An Act for granting a Supply to his Majeſty for ſeveral Uſes*, paſſed in *November*, One thouſand ſeven hundred and twenty three.

Owners of Plantations, &c. ſuſtaining Loſes by Pirates, &c. how to be compenſated by Receiver General,

II. AND be it further enacted by the Authority aforeſaid, That the Receiver General for the time being, ſhall, out of ſuch Money, pay every ſuch Inhabitant or Owner, or their Repreſentatives, ſuch Sum and Sums of Money as he ſhall have loſt in Value by either of the aforeſaid Ways and Means, according to the Proportion and Direction herein before ſpecified.

unleſs Fraud, &c. appears in ſuch Owners.

III. PROVIDED always, That ſuch Loſs ſhall be aſcertained by a Verdict of a Jury of Twelve Men upon their Oaths, in the Supreme Court of Judicature in this Iſland, upon an Iſſue, which is hereby ordered and directed to be tried for that Purpoſe; which Jury ſhall alſo enquire whether ſuch Loſs happened by the Connivance, Fraud, or wilful Default or Neglect of ſuch Inhabitant or Owner; in either of which Caſes he or they are hereby reſpectively declared not to be intitled to any Benefit or Advantage by this Act; any thing herein before contained to the contrary notwithſtanding.

Perſons not having a Number of white Men in Proportion to their Negroes, &c. excluded the Benefit of this Act.

IV. PROVIDED always, That no Perſon ſhall be intitled to the Benefit of this Act, but ſuch as ſhall not be, for Six Weeks at any one Time next before ſuch Loſs ſhall happen, without able white Men reſiding on the Plantation where ſuch Loſs ſhall happen, in Proportion to his Negroes and Cattle, according to the Rules and Directions of an Act of the Governor, Council, and Aſſembly, paſſed in *November* One thouſand ſeven hundred and twenty four, intituled, *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame and other Sums, to ſeveral Uſes*; and that the Ability of ſuch white Men ſhall be according to the Deſcription and Meaning of the Ability requiſite for ſuch Perſons as are to bare Arms, by the Act, intituled, *An Act for ſettling the Militia:* And that where any Maſter, Owner, or Attorney ſhall return himſelf as one able Perſon within this Act, ſuch Perſon ſhall be obliged to reſide upon ſuch Plantation where he ſhall ſo return himſelf, otherwiſe he ſhall not be intitled to any Benefit by this Act.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes.

N° 257. Expired.

An

1725.

№ 258. Expired. *An Act for raiſing ſeveral Sums of Money, and applying the ſame to the Uſe of Parties, and other Uſes.*

№ 259. Expired. *An Act for the more effectual ſuppreſſing rebellious and runaway Slaves, and for encouraging Parties to be ſent out for that Purpoſe; as alſo for the better ſecuring the Settlements at* Plantain Garden River, *and other Out-parts of this Iſland.*

№ 260. Expired. *An Act for the further Relief of the Inhabitants of* Port Royal.

№ 261. Expired. *An Act for granting a Revenue to his Majeſty, his Heirs, and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof as they have been introduced and uſed.*

№ 262. Expired. *An Act to enable the ſeveral Pariſhes in this Iſland to chooſe Pariſh Officers, and lay Pariſh Taxes for the Year enſuing; and to prevent Diſputes at Law concerning the regiſtring of Deeds and Patents, and Bonds given in the Secretary's Office ſince the Firſt Day of* October *laſt.*

№ 263. *An Act to inflict further and other puniſhments on the Tranſgreſſors of two ſeveral Acts, the one intituled,* An Act for the better Order and Government of Slaves; *and the other intituled,* An Act to prevent the enticing or inveigling of Slaves from the Poſſeſſors; and for the preventing the Tranſportation of Slaves by Mortgagers and Tenants for Life or Years; and for regulating Abuſes committed by Slaves.

WHEREAS the Practice of enticing, inveigling, concealing, and employing of Slaves is ſtill carried on by wickedly diſpoſed Perſons, who are encouraged thereto by the Inequality of the Penalties impoſed by the ſaid ſeveral Acts to ſuch heinous Offences, as alſo by the Difficulty of recovering ſuch Penalties againſt them in a due Courſe of Law, for want of ſuch certain Proof as by the Rules of Law is required; and the Aſſembly having conſidered the dangerous Conſequence of ſuch a Practice to the Community, not only in regard the Owners may be thereby defrauded and impoveriſhed, but a greater Opportunity would be given to Negroes to become rebellious; to reduce which Sort of Enemies the Iſland hath been and ſtill continues to be at a great Expence: For a further Remedy whereof, we moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That whoſoever ſhall hereafter, upon any Pretence whatſoever, entice, inveigle, hide, conceal, or employ the Slave or Slaves of any other Perſon, ſuch Perſon ſo enticing, inveigling, hiding, concealing, or employing ſuch Slave or Slaves, upon Proof of ſuch Offence to the Satisfaction of any Two of the Judges of the Supreme Court of Judicature of this Iſland, or

Penalty on enticing away or employing another's Slaves

or of any three Juſtices of the Peace, who are hereby impowered to hear and determine ſuch Offence, ſhall, over and above the Penalties inflicted by the ſaid Act, ſuffer one Year's Impriſonment, without Bail or Mainprize. 1725.

II. And be it further enacted by the Authority aforeſaid, That whatſoever Slave or Slaves ſhall hide or entertain any Slave, either of their Owner or Maſter, or of any other Perſon, ſuch Slave or Slaves guilty of ſuch hiding or entertaining, ſhall be further puniſhed according to the Diſcretion of any Two of the Judges of the Supreme Court of Judicature aforeſaid, or of any Three Juſtices of the Peace, who are hereby impowered to hear and determine ſuch laſt mentioned Offence. Slaves guilty of ſuch Offence, how to be puniſhed.

III. And be it further enacted by the Authority aforeſaid, That the Penalty of One hundred Pounds impoſed by the ſaid Act, intituled, *An Act for the better Order and Government of Slaves*, upon ſuch Perſon as ſhall attempt or endeavour to ſteal or carry off this Iſland, hide, conceal, or employ any Slave, ſhall and may from henceforth be recovered before any Two of the Judges of the Supreme Court of Judicature aforeſaid, or before any Three Juſtices of the Peace; who are hereby impowered to hear and determine ſuch Cauſe, upon ſuch Proof as ſhall appear to them ſatisfactory. Clauſe for the more eaſy recovering the 100 *l.* Penalty impoſed by a former Act.

IV. And be it further enacted by the Authority aforeſaid, That if any free Negro, free Mulatto, or free *Indian*, ſhall hereafter be guilty of employing, hiding, concealing, enticing, entertaining, or ſending off from this Iſland any runaway or rebellious Negro, or other Slave, every ſuch free Negro, *Indian*, or Mulatto, ſo guilty of any ſuch Offence, ſhall forfeit his Freedom, and be tranſported off this Iſland, and ſold by the Order of any Two of the Judges of the Supreme Court of Judicature of this Iſland, or of any Three Juſtices of the Peace for the time being, who are hereby impowered to hear and determine every ſuch Offence, and to make ſuch Orders, and to direct the due Execution thereof; and the Money ariſing by the Tranſportation and Sale of ſuch free Negroes, *Indians*, and Mulattoes, to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Free Negro, &c. employing a runaway Negro, to forfeit his Freedom, &c.

An Act to prevent the Abuſes committed by entertaining, concealing, or carrying off any of his Majeſty's Soldiers or Sailors, or any white Servants or Slaves belonging to any of the Inhabitants of this Iſland.

№° 264. Expired.

An Act for reviving of Proceſs.

№° 265. Expired.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

№° 266. Expired.

An Act to prevent clandeſtine Trade.

№° 267.

WHEREAS *French*, *Dutch*, *Spaniards*, and other Foreigners, pretending to be drove into this Iſland by Streſs of Weather, or other Diſabilities, have been received, provided, and furniſhed as Perſons in ſuch Condition ought to have been by the Law of Nations, and the Treaties now ſubſiſting between his Majeſty and the ſeveral Princes and States in Amity with him: And whereas ſuch Foreigners have ſo far abuſed the Indulgence granted them, that when they have gone out of the Harbours of this Iſland, they have, in ſome outward Creeks or Bays, ſold Part of their Cargoes to the Inhabitants of this Iſland, who either carried the Goods ſo bought to the *Spaniſh* Coaſt, or landed and retailed them in this Iſland, whereby the ſeveral Laws and Statutes made for the Encouragement of the *Britiſh* Trade and Navigation have been eluded, his Majeſty defrauded of the Cuſtoms and Duties due on Commodities of foreign Growth, to the great Diſcouragement of the trading Part of his Majeſty's Subjects of this Iſland, and Diminution of the *Britiſh* Trade; and for that thereby great Sums of its current Caſh is carried away into foreign Parts, and out of his Majeſty's Dominions: We, your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of this your Majeſty's Iſland of *Jamaica*, for the Prevention of the many pernicious and evil Conſequences that may befal this Iſland by the ſaid Practices (if not timely prevented) moſt humbly beſeech your Majeſty that it may be enacted, and

1725.

Masters of foreign Vessels drove on this Island by Stress of Weather, to deliver to the Governor an Account of their Cargoes upon Oath, &c.

be it enacted by the Governor, Council, and Assembly of this your Majesty's Island of *Jamaica*, and it is hereby enacted by the Authority of the same, That the Master of every *French*, *Dutch*, and other foreign Ship or Vessel that shall come in any Port, Harbour, or Bay in this Island, on Pretence of being drove in by Distress of Weather, Want of Provisions, or other Disabilities whatsoever, shall, within twenty four Hours after such his coming into any such Port, Harbour, or Bay in this Island, wait upon the Governor, or Commander in Chief for the time being, and discover upon Oath the real Truth and Occasion of such his coming in, and his necessary Wants, and the true and exact Quantities of Money, Billion, Goods, Wares, and Merchandize, he hath on Board his said Ship or Vessel, under the Penalty of the Forfeiture of such Ship or Vessel.

Necessaries to be sold them at the cheapest Rates.

II. WHICH Oath the Governor, or Commmander in Chief for the time being, is hereby impowered to administer; and to order and direct the naval Officer for the time being immediately, and without Delay, to supply him with such Necessaries as he shall have occasion for, at the best and cheapest Rates and Prices the same are to be sold for in this Island, and in no other Manner whatsoever; for which the said Master shall pay out of the Money he hath on Board (if any) and if he hath no Money, then out of such Part of his Cargo as shall be sufficient to answer such his necessary Occasions.

No greater Part of their Cargoes to be sold, than what is requisite to supply them with Necessaries.

III. AND be it further enacted by the Authority aforesaid, That no such *French*, *Dutch*, or other Foreigner, if he hath not Money to purchase such Necessaries as he shall really want, or any Part of it, shall sell or dispose of any more Goods, Wares, or Merchandize, than to supply what Necessaries he shall want over and above the Amount of his Money, and that by Leave of the Governor for the time being, and at publick Outcry, first fixing up three Days Notice in the most noted Places of the three Towns of St. *Jago de la Veg*, *Port Royal*, and *Kingston*, under the Penalty of the Forfeiture of such Ship or Vessel and Cargo.

Persons buying or bringing on Shore the Goods of Foreigners, to forfeit 500*l.* and the Goods.

IV. AND all and every Person or Persons who shall purchase any Goods, Wares, or other Merchandize, of or from any such *French*, *Dutch*, or other Foreigner, other than as aforesaid, or land or bring them, or any of them, ashore in this Island; and all and every Person or Persons who shall be aiding and assisting to the bringing on Shoar any Goods, Wares, or Merchandize so bought or purchased, shall for every such Offence respectively forfeit the Sum of Five hundred Pounds, and the Goods so bought or landed, and be committed, upon the Oath of any one Person, to Gaol, there to remain in safe Custody, until he shall find good and sufficient Security; which Forfeiture of Money shall be recovered, upon the Oath of any one Person, by Action of Debt, Bill, Plaint, or Information in the Supreme Court of Judicature within this Island, wherein no Essoin, Protection, Injunction, Wager of Law, or *Non vult ulterius prosequi* shall be entered or allowed.

Discovering such Purchases, to have three fourths.

V. AND every Person and Persons who shall discover any Purchaser of such Goods, Wares, and Merchandize, or other Person that shall be concerned in aiding or assisting in the landing or bringing on Shoar of the same, shall have three fourth Parts of the said Forfeiture of the said Five hundred Pounds (the Whole in four equal Parts to be divided) and if any concerned in the buying, landing, or bringing on Shoar such Goods, Wares, or Merchandize, shall discover the same, he shall not only, as an Encouragement for such Discovery, have the said three Fourths of the said Forfeiture of Money, but shall and is hereby acquitted, discharged, and indemnified from all Forfeitures and Imprisonment he may be otherwise subject to by this Act; any Law, Custom, or Usage to the contrary notwithstanding.

Foreigners to give in their Names, &c. to the *Custos*, within 30 Days,

under the Penalty of 100*l.*

VI. AND be it further enacted by the Authority aforesaid, That every *Frenchman*, or other Foreigner, now in this Island, or that hereafter shall arrive, shall, within thirty Days from and after the first Day of *June* next, repair to the *Custos*, or chief Magistrate in Commission, in every Parish or Precinct of this Island, and give in a List of their Names, Trades, and Vocations, how long they have been in this Island, and where they belong to, or come from last, and when naturalized, under the Penalty of One hundred Pounds current Money; which List shall be entered in a fair Book kept for that Purpose open, for the Perusal of every Person demanding the same, without Fee or Reward; and that any *Frenchman*, or other Foreigner, not belonging to any Ship in any Port or Bay in this Island, who shall not give in his Name in Manner aforesaid, shall be committed to the Gaol of St. *Jago de la Vega*, until an Opportunity offers of sending him, if a *Frenchman*, to *Hispaniola*; if a *Spaniard*, to *Porto Bello*, or any of the *Spanish* Colonies, or *Great Britain*; and if a *Dutchman*, to *Curasoa*, or *Great Britain*, or to such other Place as he shall be inclinable to go to, unless he takes out Letters of Naturalization within thirty Days, as aforesaid.

Foreign Vessels subject to the same Rules as *English*.

Foreigners not to enter into any Fortifications without Leave.

VII. AND that every *French*, *Dutch*, or *Spanish* Ship, or other Vessel, which hereafter shall arrive in any Bay, Harbour, Port, or Creek of this Island, shall be subject to such Portcharges, Visitations, Rules, and Orders, as the Ships or Vessels of his Majesty's Subjects trading hither are; and that no Foreigner whatsoever, or other Person than his Majesty's natural-born Subjects, shall, without special Leave of the Governor, or Commander in Chief

Chief of this Iſland for the time being, under his Hand and Seal firſt had and obtained, enter into any of his Majeſty's Fortifications in this Iſland. 1725.

VIII. AND to the Intent that no Perſon may plead Ignorance to this Act, be it enacted by the Authority aforeſaid, That the Receiver General do, within three Months after the paſſing of this Act, cauſe the ſame to be printed, the Charge of which ſhall be allowed him out of any Money unappropriated in his Hands; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. This Act to be printed.

An explanatory Act for the further encouraging the ſettling the Pariſh of Portland. N° 268.

WHEREAS ſeveral Acts of the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, made for the ſettling the North-eaſt Part of this Iſland, have hitherto proved ineffectual; for the perfecting therefore a Work ſo neceſſary to the Security, and beneficial to the Trade of this Iſland, may it pleaſe your Majeſty that it may be enacted, be it therefore enacted by your Majeſty's Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That all or any of the Inhabitants of this your Majeſty's Iſland of *Jamaica*, who ſhall patent and ſettle Land there, ſhall be intitled to, and enjoy all the Privileges, Benefits, Rights, and Immunities, which any Stranger or new Comer to this Iſland to ſettle the ſame is or may be in any way intitled unto by virtue of an Act, intituled, *An Act for ſettling the North-eaſt Part of the Iſland*; and one other Act, intituled, *An Act for the encouraging white People to come over and become Settlers in this Iſland, and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof*; any thing in the ſaid Acts to the contrary in any wiſe notwithſtanding. Perſons ſettling in the Pariſh of *Portland*, intitled to the ſame Privileges as new Comers.

II. AND in order to enlarge the Time for ſuch as ſhall become Settlers there to carry on their ſaid Settlements, and to explain what ſhall be deemed a Settlement within the Meaning of the ſaid Acts, be it therefore further enacted by the Authority aforeſaid, That the Governor, or Commander in Chief for the time being, ſhall grant to every Perſon willing to become a Settler within the Tract of Land of thirty thouſand Acres, mentioned in the ſaid Acts, a Quantity of Land, not exceeding five hundred Acres, in Proportion to the Number of Negroes and white Men they are willing and ready to put thereon, and perfect the Settlement thereof, and alſo a Lot of Land in the Town of *Titchfield*, to them, their Heirs and Aſſigns for ever; with a Condition or Proviſo in the ſaid Grant, That every Perſon ſo patenting any Parcel of Land, ſhall be obliged to build and erect a Houſe on ſuch his Lot in the ſaid Town within ſix Months from the Date of ſuch his Patent, and to maintain and repair the ſame; and to keep one white Perſon actually reſiding thereon (at the leaſt) for and during the Term of four Years from and after the Expiration of the ſaid ſix Months; and alſo to begin and carry on a Settlement on his ſaid Land in Proportion to the Number of Acres in it, *viz.* two Negroes for every hundred Acres in his ſaid Grant; and if it contains five hundred Acres, then with one white Man and ten Negroes as the leaſt, within the firſt twelve Months after the Date of ſuch his Patent; and alſo one other white Man and ten Negroes more at the leaſt on the ſaid Land, yearly and every Year after, till ſuch Time as he hath put and ſettled thereon one white Man and ten Negroes for every hundred Acres contained in his Grant, and ſo in Proportion for a greater or leſſer Number of Acres; under the Penalty of forfeiting all the Lands ſo to him or them granted, and all his or their Right or Title thereto, to his Majeſty, his Heirs and Succeſſors, and from thence all ſuch Grants and Patents to ceaſe and utterly to become void to all Intents and Purpoſes, and be veſted in his Majeſty, his Heirs and Succeſſors; and by him to be regranted, according to the Terms, Limitations, and Reſtrictions in this Act to ſuch other Perſons as ſhall deſire the ſame; any thing in the ſaid Acts to the contrary notwithſtanding. Land to be granted them in Proportion to the Number of Negroes they put thereon; conditioned to build a Houſe on the ſame within ſix Months, and to carry on a Settlement. Land forfeited to his Majeſty, in caſe of Non-compliance.

III. AND for the enlarging the ſaid Town of *Titchfield*, and more regular laying out, and ſpeedy and commodious building of the ſame, be it enacted by the Authority aforeſaid, That there be added to, and laid out, as Part of the Town of *Titchfield*, fifty Acres more of the Land, next adjoining to the fifty Acres laid out for a Town on *Pattiſon's Point*, to be granted and laid out in Lots, in like Manner as the ſaid other fifty Acres; and alſo one hundred Acres more, next adjoining to the two hundred and fifty Acres laid out for a Common belonging to the ſaid Town, be added to, and taken as a Part and Parcel of the ſaid Common, for the enlarging thereof; and that the ſaid Town be laid out with ſuch Lots, Streets, publick Buildings, and in ſuch Manner and Form, as the Governor, or Commander in Chief for the time being, ſhall order and direct; any thing in the ſaid Acts to the contrary notwithſtanding. 50 Acres added to the Town of *Titchfield*.

IV. AND

1725.

Commiſſioners to take the Oaths appointed within 3 Months.

IV. AND be it further enacted by the Authority aforeſaid, That the Commiſſioners by the ſaid Acts appointed are hereby required, within three Months after the paſſing of this Act, and Notice thereof under the Penalty of One hundred Pounds, to take ſuch Oath or Oaths, and in ſuch Manner, as in and by the ſaid Acts, or either of them, is limited and directed.

Perſons carrying on Settlements, exempted from Taxes for 3 Years.

V. AND for the further Encouragement of all ſuch as ſhall become Settlers there, be it enacted by the Authority aforeſaid, That every Perſon ſo beginning and carrying on a Settlement within the Tract of thirty thouſand Acres, in the ſaid Acts mentioned, ſhall, for and during the Space of three Years next after the Date of ſuch their Patents, be freed and exempted from all manner of Taxes whatſoever, which ſhall be aſſeſſed, taxed, or laid upon them, or any of them, on account or by reaſon of their Houſes, Negroes, or Cattle, built, and uſed upon, and employed in the carrying on ſuch their Settlements.

Owners of Land adjacent, to carry on Plantations there if begun within 5 Years.

VI. AND be it further enacted by the Authority aforeſaid, That all Owners and Proprietors of the Land adjacent to the ſaid Tract of thirty thouſand Acres, and within the Bounds of the ſaid Pariſh of *Portland*, ſhall and may be at Liberty to ſettle and carry on Plantations in their ſaid Lands reſpectively, ſo that they begin their ſaid Settlements reſpectively within five Years next from and after the paſſing of this Act; any Penalty, Forfeiture, or Thing whatſoever in the ſaid Acts, or either of them, contained to the contrary in any wiſe notwithſtanding.

№ 269. Expired.

An Act to augment the Salary of his Grace the Duke of Portland, *during his Reſidence in this Iſland as Governor thereof.*

1726.
№ 270.
Expired.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes.

1728.
№ 271.

An Act for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof.

May it pleaſe Your Moſt Excellent Majeſty,

WE, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of *Jamaica*, conſidering that the greateſt Part of your Majeſty's Revenue in this Iſland, as it was eſtabliſhed, did determine on the firſt day of *October*, in the Year of our Lord One thouſand ſeven hundred and twenty four, and being deſirous to diſtinguiſh your Majeſty's moſt auſpicious Reign, have freely and unanimouſly reſolved, not only to revive and continue the ſaid Revenue, but to augment it to a Degree ſuitable to the Dignity and State as well as the Support of your Government, and alſo to give it ſuch a Duration as, we hope, is deſigned by the divine Providence, for the Succeſſion of the Crown in your Royal Line: We therefore moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That from henceforth all the Goods, Wares, and Merchandize herein after ſpecified, which ſhall be imported into this your Majeſty's Iſland, ſhall pay, as a Duty and Impoſt, to his Majeſty, his Heirs and Succeſſors, the following Duties, and no more, *viz.* All *Spaniſh* and *Madera* Wines, ſix Pounds *per* Ton; and alſo all Wines imported, of the Growth of the *Weſtern Iſlands*, or Mixture of the *Madera* Wines, with thoſe of the *Weſtern Iſlands*, commonly called the *Azores*, twelve Pounds *per* Ton; every Ton of *French*, *Rheniſh*, or *Portugal* Wines, five Pounds; every Gallon of *Brandy*, *Arrack*, or other Spirits, eighteen Pence; every Ton of Caſk or bottled Beer, Ale, or Cyder, forty Shillings; every Ton of *Mum*, or *Metheglin*, three Pounds;

The Duties to be paid on all Liquors, &c. imported into this Iſland,

Pounds; for every Pound Weight of refined Sugar, ſix Pence; for every hundred Pounds Weight of *Muſcovado*, or *Panneel* Sugar, three Shillings; for every Pound Weight of Tobacco, Four Pence; for every hundred Pound Weight of Ginger, fifteen Shillings; for every Pound Weight of Indico, three Pence; for every Pound Weight of Cotton, three Pence; for every hundred Pounds Weight of Cocoa, to be imported by Veſſels of this Iſland, the Sum of fifteen Shillings; and for every hundred Pounds Weight of Cocoa, to be imported by Veſſels not belonging to this Iſland, twenty Shillings; and ſo proportionably for a greater or leſſer Quantity of the ſeveral Goods, Wares, and Merchandize aforeſaid, imported into this Iſland. 1728.

which are to be paid in ten Days, or Security given for the Payment, &c.

II. AND be it further enacted by the Authority aforeſaid, That every Merchant, or other Perſon, importing any of the Wines, or other Merchandize before mentioned into this Iſland, ſhall (being thereunto required by his Majeſty's Receiver General, his Deputy, or Collector) within ten Days after importing the ſame, make up Accounts and pay, or (if exceeding the Sum of five Pounds) give Bond to his Majeſty, in the Penalty of double the Value the ſame ſhall amount unto, for the ſure Payment of the Impoſt hereby raiſed on the Goods and other Merchandize aforeſaid; and upon Payment of the ſaid Impoſt, ſhall be allowed after the Rate of ten *per Cent.* for Leakage and prompt Payment, and ſhall have Time given him in the ſaid Bond for Payment of the ſaid Impoſt, as is herein after mentioned; that is to ſay, at the End and Expiration of the firſt ſix Weeks from the Entry of the ſaid Goods or Merchandize, to pay one Half thereof, and the other Half at the End of twelve Weeks from the ſaid Entry; but in caſe the Payment of the ſaid Duties and Impoſt be not made by the End of the firſt three Months from and after the ſaid Entry made, that then the ſaid ten Pounds *per Cent.* for prompt Payment ſhall not be allowed them.

How diſputes between Officer and Importer are to be determine.

III. AND in caſe any Difference ſhall ariſe between the Officer and the Importer or Maſter of the Veſſel, touching Wine or Liquors that ſhall happen to ſour within the aforeſaid ten Days, the Perſon or Perſons ſo aggrieved ſhall have a Warrant of Survey from the naval Officer for the time being (who is hereby impowered and required to grant the ſame) and that Returns of ſuch Warrants to be granted as aforeſaid, ſhall be made upon Oath to the ſaid naval Officer, and by him remitted to the Receiver's Office, in order to the making up their Accounts with the ſaid Receiver; which ſaid Warrant ſhall be iſſued, executed, and returned within twenty five Days after the Arrival of the Ship or Veſſel importing the ſaid Liquors.

Importer, &c. refuſing to make up his Accounts, to loſe the Benefit of ten *per Cent.* for Leakage, &c.

IV. AND in caſe any ſuch Maſter or Importer ſhall (being thereunto required, as aforeſaid) refuſe to make up his Accounts, and to pay, or give Bond, as aforeſaid, he ſhall loſe the Benefit of ten *per Cent.* for Leakage, and the Time given for Payment of the Impoſt; and if the Receiver General ſhall be forced to ſue for the ſame, and ſhall thereupon recover, the Defendant ſhall pay Intereſt, at the Rate of ten Pounds *per Cent. per Annum*, from the Time the ſaid reſpective Sums ſo recovered ſhall become payable.

Upon Importation of *Madera* Wines, the following Oath to be taken,

V. AND it is further enacted by the Authority aforeſaid, That if at the Entry of any Ship or Veſſel in the Naval Office, it ſhall appear by the Maſter's Report or otherwiſe, that he hath imported any *Madera* Wines; he the ſaid Maſter, or the Boatſwain, ſhall take the following Oath, which the ſaid naval Officer is hereby impowered and required to adminiſter:

I A. B. *do ſwear, That the Wines by me imported were taken on Board at the Iſland of* Madera; *and that I do not directly or indirectly know but that the ſaid Wines are of the Growth of the ſaid Iſland, without any Mixture of the Wines of the Growth of any of the* Weſtern Iſlands.

So help me God.

or the Wines be deemed of the Growth of the *Weſtern Iſlands*, and pay Duty accordingly.

VI. AND if the ſaid Maſter or Boatſwain ſhall refuſe to take the aboveſaid Oath, that then the ſaid Wines ſo imported ſhall be deemed and taken to be Wines of the Growth of the *Weſtern Iſlands*, and ſhall accordingly pay the Duty or Impoſt herein laid on the ſaid Wines laſt mentioned.

Ships coming from the Northward of the Tropick of *Cancer* to trade here, to pay 1 *lb.* of Gunpowder *per* Ton;

which ſhall be paid in Specie and not Money, &c.

VII. AND it is likewiſe further enacted and declared by the Authority aforeſaid, That all Ships and Veſſels coming from any Place to the Northward of the Tropick of *Cancer*, to trade within this Iſland, ſhall reſpectively pay for every Ton ſuch Ship or Veſſel ſhall contain, and for every Time they ſo arrive in this Iſland, one Pound of good and new Gunpowder; and alſo all Ships and Veſſels trading any Way to the Southward of the Tropick of *Cancer*, ſhall reſpectively pay for every Ton ſuch Ship or Veſſel ſhall contain, one Pound of good and new Gunpowder once every Year, and no more, for and towards the Uſe of His Majeſty's Forts and Fortifications.

VIII. AND it is likewiſe further enacted and ordained by the Authority aforeſaid, That the Captain of His Majeſty's Fort, or any Perſon by him to be appointed for the Receipt of ſuch Gunpowder, ſhall receive the ſame in Specie, and not preſume, in Lieu thereof,

1728. to receive Money, or any other Conſideration whatſoever, upon Penalty of Five Hundred Pounds current Money of this Iſland for every ſuch Offence: But for the Eaſe of any Perſon or Perſons who are obliged to pay any odd Pounds of Gunpowder under the Quantity of a Barrel, he or they may be at Liberty to pay to the Receiver General, or his Deputy, and to no other Perſon whatſoever (under the Penalty of Fifty Pounds) at and after the Rate of eighteen Pence *per* Pound in Money, for ſo many Pounds Weight of Powder as he ought to pay under the Quantity of a Barrel as aforeſaid; for which Money the ſaid Receiver General, or his Deputy, ſhall give a Receipt without Fee or Reward.

By whom Powder ſhall be provided for the King's Fort,

IX. And be it further enacted by the Authority aforeſaid, That if at any Time there ſhall be Powder wanting in His Majeſty's Fort for the neceſſary Expence thereof, the Receiver General ſhall provide the ſame, and deliver it accordingly; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

and the Captain of it to enter an Account of all he receives in a Book, *&c.*

X. And that his Majeſty may not be defrauded of the Gunpowder directed to be paid into his Fort, be it enacted by the Authority aforeſaid, That the Captain of the Fort, *Fort Charles* upon *Port Royal*, for the time being, ſhall be, and he is hereby required and obliged to keep a Book, wherein ſhall be particularly ſet down the juſt Quantity of Gunpowder which ſhall be received into the Fort for the Uſe of his Majeſty, and likewiſe what ſhall be expended, and upon what particular Account or Occaſion, and ſhall once every Year produce ſuch Book to the Governor, or Commander in Chief; and ſhall, when and as often as thereunto required by the Council and Aſſembly, when ſitting, or by any Committee by them or either of them to be appointed, give in a juſt and true Account before them of the particular Quantity of Gunpowder received and expended as aforeſaid, and upon what Account or Occaſion, and take the following Oath before the Governor, or Commander in Chief, which ſhall be tranſcribed and ſigned by him in the ſaid Book, *viz.*

His Oath.

I A. B. *do ſwear, That to the beſt of my Knowledge and Belief the Account now by me ſubſcribed and delivered in, is an exact and true Account of all the Gunpowder that has been received, purſuant to an Act, intituled,* An Act for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof; *and that hath been really and* bona fide *expended according to the Account herewith delivered in upon Oath.*

So help me God.

Under the Penalty or Forfeiture of Five hundred Pounds of current Money of this Iſland, for every his ſuch Neglect or Refuſal.

Maſters, *&c.* of Veſſels to deliver in an Account of their Loading in 48 Hours after their Arrival, upon Oath.

XI. And whereas great Inconveniencies have happened to the fair Trader by the clandeſtine Running of Goods, to the great Diminution of his Majeſty's Revenue, in regard no ſufficient Proviſion has hitherto been made to oblige Maſters to give in a Manifeſt upon Oath of their lading and diſcharging the ſame in a prefixed Time; be it therefore further enacted by the Authority aforeſaid, That all Maſters, Mates, Supercargoes, and Merchants of Ships, Sloops, or other Veſſels that ſhall arrive in any Harbour, Road, Bay, Creek, Port, Haven, or Quay within this Iſland, or that ſhall come to an Anchor, or unload, diſcharge, or deliver over any Part of her Loading at or in any Harbour, Road, Bay, Creek, Port, Haven, or Quay belonging to, or within Sight of this Iſland, loaden with, or having on Board any Goods, Wares, or Merchandize liable to any of the Duties herein before mentioned, ſhall, and are hereby reſpectively charged and obliged, within forty eight Hours after his or their Arrival, to deliver unto the Receiver General, or his lawful Deputy, in Writing, a juſt and true Account of all Goods, Wares, and Merchandize on Board his or their Ship or Veſſel, and to whom conſigned; and ſhall (under the Penalty of Five hundred Pounds for every Neglect or Refuſal) take the following Oath;

Their Oath.

I A. B. *do ſwear, That the above Manifeſt is a juſt and true Report of all the Goods, Wares, and Merchandize on Board the Ship or Veſſel called the , whereof I am or is Maſter; and that I have not, nor will land, or ſuffer to be landed, or put out of my ſaid Ship or Veſſel any of the ſaid Goods, Wares, or Merchandize, till a Certificate be firſt had and obtained from the Receiver General, or his lawful Deputy, that the Duties are duly paid or ſecured.*

So help me God.

Which Oath the Receiver General, or his lawful Deputy, is hereby impowered and directed to adminiſter, under the Penalty of Five hunded Pounds for every Neglect or Refuſal; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

XII. And

1728.

Goods, &c. landed before Duty paid, forfeited.

XII. And it is likewiſe further enacted by the Authority aforeſaid, That if any Maſter or Commander of any Ship or Ships, Merchant, Factor, Purſer, Mariner, or any other Perſon whatſoever, without the Preſence of the Receiver General, or his lawful Deputy, or ſome Perſon appointed by him or them, or Notice given to one of them, or before his or their regular Entry made with the ſaid Receiver General, or his lawful Deputy, or Payment of the Duty, or Security given by Bond as aforeſaid, ſhall put on Shore, or put into any Boat or Veſſel, in order to the landing any of the Goods, Wares, or Merchandize contained or mentioned in this Act, or deliver over the ſame, or any Part thereof, to any other Ship or Veſſel, the ſaid Goods, Wares, and Merchandize being ſeized by the Receiver General, or any Perſon authorized by him, ſhall be forfeited, one Third to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third to the Governor or Commander in Chief for the time being; and the other Third to ſuch Perſon or Perſons as ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Collector, &c. may ſeize the ſame, unleſs the Owner make it appear that the Duties have been paid.

XIII. And it ſhall and may be lawful for the naval Officer, Receiver, Collector, or any other Perſons who ſhall be employed in collecting his Majeſty's Revenues or Cuſtoms in this Iſland, to ſeize the ſame; and on Information filed in his Majeſty's Supreme Court of Judicature, the ſame ſhall be adjudged forfeited, unleſs Claim ſhall be made within twenty Days after ſuch Information filed, and unleſs the Party claiming ſhall make it appear that the Duties of the ſame have been paid, or ſecured to be paid, according to the true Intent and Meaning of this Act; and all Manner of Perſons are hereby required to be aiding and aſſiſting to ſuch Officer or Officers ſeizing ſuch Goods, Wares, and Merchandize ſo landed or unladen contrary to the true Intent and Meaning of this Act.

Clauſe to explain a former Act.

XIV. And whereas ſome Doubt hath ariſen whether the Receiver General of this Iſland was within the Words and Meaning of an Act of Parliament paſſed in the Seventh and Eighth Year of the Reign of King *William*, intituled, *An Act for preventing Frauds, and regulating Abuſes in the Plantation Trade:* Be it therefore further enacted by the Authority aforeſaid, That the Receiver General, or his lawful Deputy, ſhall have, by Virtue of this Act, the ſame Powers and Authorities, to all Intents and Purpoſes, touching the Merchandize and Duties in this Act, as is by the ſaid Act of Parliament given and granted to the Officers for collecting and managing his Majeſty's Revenue, and inſpecting the Plantation Trade in any of the ſaid Plantations; any thing in this Act, or in any other Act or Law of this Iſland to the contrary notwithſtanding.

Penalty on Receiver General neglecting his Office.

XV. And it is likewiſe further enacted and ordained by the Authority aforeſaid, That the Receiver General or Collector, by himſelf or Deputy, ſhall give his Attendance on all working Days at his Office, from Nine to Eleven of the Clock in the Morning, and from Two till Four in the Afternoon, upon Penalty of Twenty Pounds current Money of this Iſland for every Default.

Receiver General's Allowance.

XVI. And be it further enacted by the Authority aforeſaid, That the Receiver General or Collector, or his lawful Deputy, ſhall have and detain the Sum of Five Pounds *per Cent.* and ſo *pro ratâ*, and no more; *viz.* Two Pounds and Ten Shillings *per Cent.* for receiving, and Two Pounds and Ten Shillings *per Cent.* for paying, for ſo much Money only as he ſhall actually receive and pay by Virtue of this Act; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

5 *l.* to be paid for a Licence to ſell ſtrong Liquors.

XVII. And be it likewiſe enacted and ordained by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever within this Iſland, which from henceforth ſhall have or receive from the Governor or Commander in Chief of this Iſland, a Licence to ſell and retail any ſtrong Liquors in any Part of this Iſland, ſhall pay to his Majeſty, his Heirs and Succeſſors, yearly, and every Year he ſhall take out or renew the ſame, the Sum of Five Pounds current Money of this Iſland; and whoſoever ſhall preſume to ſell by Retail any of the ſtrong Liquors mentioned in this Act, without ſuch Licence had and obtained as aforeſaid, ſhall forfeit for every ſuch Offence the Sum of Ten Pounds of current Money of this Iſland.

New Settlers importing Rum, &c. to be repaid the Duty before paid for it.

XVIII. And it is hereby enacted and ordained by the Authority aforeſaid, That if any new Settler or Comer to this Iſland, ſhall import into the ſame any Rum, Sugar, Tobacco, Indico, Cocoa, Ginger, or Cotton, by himſelf, or any other Perſon or Perſons, for his, her, or their better Conveniency in ſettling and planting, and ſhall not only declare his, her, or their Intention of the ſame upon Oath before the Receiver or Collector, who is hereby impowered and required to adminiſter the ſame, at the Time of Importation, but ſhall likewiſe make the ſame appear within Three Months after his, her, or their Arrival, by ſome viſible Effect, which he or they ſhall ſhew in order to it (and the ſame being ſufficiently proved to the ſaid Receiver or Collector) that then, and in ſuch Caſe, ſuch Importer ſhall be repaid by the Receiver General, or his Deputy, all ſuch Duty or Cuſtom which had before been paid for the ſaid Goods.

XIX. And that his Majeſty's Forts and Fortifications within this Iſland may for the future be kept in better Repair; and if his Majeſty in his great Wiſdom ſhall think convenient,

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venient, other new ones built, for the better Defence of this Iſland, and further Encouragement of Perſons to come, ſettle, and plant here, whereby his Majeſty's Cuſtoms may be augmented and improved; be it further enacted by the Authority aforeſaid, That the Sum of One thouſand two hundred and fifty Pounds *per Annum*, ariſing as aforeſaid, be yearly and every Year paid and appropriated unto the repairing, building, and rebuilding of his Majeſty's Forts and Fortifications within this Iſland, and to no other Uſe, Intent, or Purpoſe whatſoever; and the ſame is hereby appropriated accordingly.

1250*l.* to be annually applied for building of Forts, *&c.*

XX. AND it is further enacted by the Authority aforeſaid, That the Collector or Receiver General of this Iſland for the time being, or he that ſhall officiate in his Room or Stead, ſhall annually, out of the Money received by Virtue of this Act, charge down the aforeſaid One thouſand two hundred and fifty Pounds, ſo as aforeſaid appropriated, to the particular Account of his Majeſty's Fortifications, and ſhall keep a diſtinct Book of Accounts for the ſame; which Book of Accounts ſhall be free and open at all Office Hours, for all Perſons to view the ſame, without paying any manner of Fee therefore.

An Account of which ſhall be kept in a Book to be provided for that Purpoſe.

XXI. AND that ſuch Collector, Receiver General, or his Deputy, ſhall, when and as often as thereunto required by the Governor, Council, and Aſſembly, when ſitting, or any Committee by them, or either of them to be appointed, give in upon Oath (which Oath they are hereby impowered to adminiſter) a juſt and true Account of the particular Diſburſements out of the ſaid One thouſand two hundred and fifty Pounds *per Annum*, ſo appropriated as aforeſaid, and alſo for all Money ariſing or that ſhall come into his Hands by Virtue of this Act.

Receiver General to give in Account upon Oath,

XXII. AND that the ſaid Collector or Receiver General ſhall, with good and ſufficient Security, ſuch as ſhall be approved of by the Governor and Council, enter into Bond in the Penalty of Five thouſand Pounds; which Bond ſhall lie and be recorded in the Secretary's Office under the Condition hereafter expreſſed; that is to ſay;

and give Bond for ſo doing.

Condition of the Bond.

THE Condition of this Obligation is ſuch, That if the above bounden A. B. *Collector or Receiver General ſhall well and truly account, as often as he ſhall be thereunto required by the Governor for the time being, and Council, or the Aſſembly of this Iſland, when ſitting, or a Committee thereof, for all and every ſuch Sum or Sums of Money, which either have or ſhall come into his Hands by Virtue of an Act, intituled,* An Act for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof; *and alſo well and truly pay the Sum of One thouſand two hundred and fifty Pounds yearly, and every Year, of the Money ariſing and to ariſe by Virtue of the ſaid Act, by Warrant from the Governor and Council, for and towards the repairing and building Forts and Fortifications; and alſo pay all other Sums of Money, according to the Intent and Meaning, and to the Uſes mentioned and directed in the ſaid Act, that then this Obligation to be void, otherwiſe to remain in full Force and Virtue.*

Penalty on Receiver General not performing his Duty.

XXIII. AND in caſe the Collector or Receiver General, or his Deputy, ſhall preſume to act in the ſaid Office longer than Twenty Days after the Publication of this Act, before he or they have entered into Bond, as before required, or ſhall miſapply or pay any Part or Parcel of the One thouſand two hundred and fifty Pounds ſo applied and appropriated as aforeſaid, he or they ſhall for every ſuch Offence forfeit the Sum of Two thouſand five hundred Pounds current Money; the one Third whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for the Support of the Government of this Iſland, to be laid out upon the Fortifications; one other Third whereof ſhall be to the Governor or Commander in Chief of this Iſland for the time being; and the other Third to him or them who ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoin, Protection, Injunction, Wager of Law, or *Non vult ulterius proſequi* ſhall be admitted or allowed; any thing in this Act, or any other ſeeming to the contrary notwithſtanding.

Not to pay any Part of the 1250*l.* without Warrant from the Governor, *&c.*

XXIV. AND that the ſaid Collector or Receiver, or his Deputy, ſhall not at any Time hereafter, upon any Pretence whatſoever, pay the ſaid One thouſand two hundred and fifty Pounds *per Annum*, or any Part or Parcel thereof, or any other Sum or Sums of Money whatſoever, ariſing by Virtue of this Act, unleſs he or they ſhall firſt have and receive for his or their Authority a Warrant under the Hand and Seal of the Governor or Commander in Chief for the time being, with the Advice and Conſent of the Council, expreſſing the Sum to be paid, and the End and Purpoſe whereunto the Sum is or ſhall be applied, with a particular Account thereunto annexed, manifeſting for what the ſaid Money became due to the Perſon to whom it is payable; and in caſe the Collector or Receiver General, or his Deputy, ſhall, contrary to the true Intent and Meaning hereof, pay any Sum or Sums of Money whatſoever; or if he or his Deputy ſhall miſapply any of the Monies ſo as aforeſaid appropriated, contrary to the true Intent and Meaning of this Act, the Offender or Offenders ſhall forfeit and pay treble the Sum by him or them ſo paid or miſapplied.

To forfeit treble the Sum miſapplied.

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XXV. And it is hereby further enacted by the Authority aforeſaid, That all Penalties and Forfeitures, in this Act before mentioned, and not herein before particularly diſpoſed of, ſhall be one Third to his Majeſty, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland; one Third to the Governor, or Commander in Chief for the time being, and the other Third to ſuch Perſon or Perſons as ſhall ſue for the ſame; to be recovered by Action of Debt, Bill, Plaint, or Information in the Supreme Court of Judicature of this Iſland: And where any Queſtion ſhall ariſe concerning the Importation or Exportation of any Goods into, or out of this Iſland, in ſuch caſe the Proofs ſhall be upon the Owner or Claimer, and the Claimer ſhall be reputed the Owner or Importer thereof; any Law, Cuſtom, or Uſage to the contrary thereof notwithſtanding. Diſpoſition of Forfeitures.

XXVI. And to the end that no Doubt may ever remain of this faithful Aſſembly's having ſufficiently provided for his Majeſty's Government; be it enacted by the Authority aforeſaid, That the Eſtimate hereunto annexed ſhall be deemed to contain an Eſtabliſhment of the preſent Branches of his Majeſty's Revenue, and the ſeveral Heads of the preſent Expences chargeable on the ſaid Revenue; and that the ſaid Eſtabliſhment and Eſtimate ſhall be likewiſe reputed and accepted as Part of this Act. The Eſtimate annexed to be deemed to contain an Eſtabliſhment of the Revenue, &c.

XXVII. And though it hath been found by Experience that the Monies ariſing by the like Duties impoſed by this Act (no Branch of which hath been found burthenſome) doth exceed the Computation aforeſaid yet; be it enacted by the Authority aforeſaid, That in caſe the ſeveral Funds, Duties, and Impoſts in this Act mentioned, ſhould at any time hereafter prove deficient, or fall ſhort of the clear yearly Sum of Eight thouſand Pounds; that then, and in ſuch caſe, ſuch Deficiency or Sum that ſhall be wanting, ſhall be made good, raiſed, and appropriated, according to the Uſes in this Act mentioned, by the Aſſembly then in being, or any Aſſembly thereafter to be convened; and if there ſhould any Surpluſage or Sum of Money ariſe by the ſaid Funds, Duties, and Impoſts, over and above the ſaid Sum of Eight thouſand Pounds, that then the ſaid Surpluſage ſhall be applied to the Uſe of Parties to be raiſed for the Reduction of rebellious Negroes, or to or for ſuch other Uſe or Uſes, as the Governor, Council, and Aſſembly for the time being, by any Law or Laws, ſhall think proper, and to and for no other Uſe, Intent, or Purpoſe whatſoever; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding. How Deficiencies are to be made good.

XXVIII. And it is further enacted by the Authority aforeſaid, That as well his Majeſty's Quit-rents, Fines, Forfeitures, and Eſcheats, and every Part and Parcel thereof ariſing within this his Majeſty's Iſland, as the Impoſt and Revenue hereby granted, or which hereafter ſhall grow and become due by virtue of this Act, or any thing herein contained, ſhall be collected and received by the ſaid Receiver General for the time being, or his lawful Deputy only, and ſhall be applied and appropriated, and the ſaid whole Revenue is hereby appropriated to the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Uſes in this Act mentioned, and to no other Uſe, Intent, or Purpoſe whatſoever. Provided always, That this Clauſe, nor any thing therein contained, ſhall extend, or be deemed or conſtrued to extend to take off or leſſen the Prerogative of his Majeſty, his Heirs, and Succeſſors, in pardoning and remitting ſuch Fines and Forfeitures, as he or they in their great Wiſdom and Clemency ſhall, on due Conſideration, think fit to pardon and forgive, or to prevent the Receiver General's accounting with the Auditor General, or ſuch other Perſon in the Kingdom of *Great Britain*, as his Majeſty, his Heirs, or Succeſſors, ſhall think fit to appoint for that Purpoſe. Quit-rents, &c. to be applied to the Support of the Government. Proviſo.

XXIX. And be it further enacted by the Authority aforeſaid, That from and after the paſſing this Act, one Act, intituled, *An Act for raiſing a Publick Revenue, for the Support of the Government of this his Majeſty's Iſland*, made at an Aſſembly held at the Town of St. *Jago de la Vega*, by ſeveral Prorogations, the Fifth Day of *September*, in the Year of our Lord One thouſand ſix hundred and eighty three; one other Act, intituled, *An Act for raiſing a Publick Revenue to the King, his Heirs, and Succeſſors, for the Support of the Government of this his Majeſty's Iſland*, made at an Aſſembly held at the Town of St. *Jago de la Vega* aforeſaid, upon the Twentieth Day of *July*, in the Year of our Lord One thouſand ſix hundred and eighty eight; one other Act, intituled, *An Act for raiſing a Revenue to her Majeſty, her Heirs, and Succeſſors, for the Support of the Government of this Iſland, and for maintaining and repairing her Majeſty's Forts and Fortifications*, paſſed in the Year of our Lord One thouſand ſeven hundred and three; and alſo one other Act, intituled, *An Act for granting an additional Revenue to his Majeſty, his Heirs and Succeſſors, for the better Support of the Government of this Iſland*, paſſed in *November*, One thouſand ſeven hundred and twenty four, and all and every the Clauſe and Clauſes in them or any of them contained, and ſuch Part of any other Act or Law of this Iſland as is inconſiſtent with the Words and Meaning of this Act, be, and are hereby repealed and annulled. All former Acts inconſiſtent with this, repealed.

XXX. And be it further enacted by the Authority aforeſaid, That all the Acts and Laws of this Iſland which determined and expired on the Firſt Day of *October*, in the Laws made perpetual.

1728. Year of our Lord One thouſand ſeven hundred and twenty four, and not hereby, or by any former Act of the Governor, Council, and Aſſembly, now in Force, altered or repealed, ſhall be, and are hereby revived and declared to be perpetual.

Laws of *England* accepted as Laws of this Iſland, to continue ſo.

XXXI. And alſo all ſuch Laws and Statutes of *England* as have been at any time eſteemed, introduced, uſed, accepted, or received as Laws in this Iſland, ſhall and are hereby declared to be and continue Laws of this his Majeſty's Iſland of *Jamaica* for ever.

ESTIMATE *of the preſent Branches of his Majeſty's Revenue, and the ſeveral Heads of the preſent Expences chargeable on the ſaid Revenue.*

Charges on the Revenue.				*l.*	*s.*	*d.*
To the Captain General's Salary,				2500	00	0
To the Forts and Fortifications,				1250	00	0
To the chief Juſtice's Salary,				120	00	0
To the Officers and Gunners of *Fort Charles*, viz.						
To the Captain, 6 *s. per Diem*,			109	10	0	
The Lieutenant, 4 *s.* 6 *d.*			82	02	6	
Twelve Montroſſes in actual Service, at 2 *s.* 6 *d. per Diem*, to be Inhabitants of *Port Royal*, and continually reſident there, and not to be inliſted in either of the independent Companies,			547	10	0	
The Armourer,			40	00	0	
For Water,			24	00	0	
					803	02	6
To the Captain of the Train in *Spaniſh Town*,				45	12	6
To the Auditor General, 150 *l. Sterling*, at 35 *per Cent.* Exch.				202	10	0
To Waiters Salary,				120	00	0
To ſeveral ordinary Charges, *viz.* Publick Buildings, Attorney General's Fees, Clerk of the Council, Provoſt-marſhal, Clerk of the Crown, Clerk of the Chancery, for iſſuing Writs of Election, Deputy Marſhal's for Priſoners, executing Writs of Election, Receiver General's Commiſſion, King's Evidence, and other ſmall Expences, computed at a Medium for Nine Years paſt, *per Annum*,				2390	00	0
To contingent Charges *per Annum*,				568	15	0
				8000	00	0

Branches of the Revenue.	Cr.		
By Impoſt, at a Medium of Nine Years laſt,	2966	02	1
By Quit-rents,	1460	14	3
By Fines, Forfeitures, and Eſcheats,	437	13	3
By Wine Licences,	200	00	0
By Gun-powder,	257	02	11
By a new Impoſt, including Indico at 3 *s. per* Pound, and Sugar at 3 *per* Hundred, at a moderate Computation,	3000	00	0
	8371	12	6

№ 272. Expired. *An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes.*

№ 273. Expired. *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and appling the ſame to ſeveral Uſes; and for repairing the Wall of* Port Royal.

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An Act for the reviving and continuing of Proceſs; and to prevent Diſputes at Law, concerning the regiſtering of Deeds and Patents, and for confirming of Bonds taken in the Secretary's Office of this Iſland. — № 274. Expired.

An Act to enable ſuch of the Pariſhes of this Iſland as have not already choſe their Pariſh Officers, nor laid their Pariſh Taxes, to do the ſame in prefixed Times, although the Times appointed for doing thereof be already elapſed. — № 275. Expired.

An Act for raiſing a Tax by the Poll, and on Trades, and applying the ſame to ſeveral Uſes. — № 276. Expired.

An Act for the more effectual and ſpeedy collecting of the ſeveral Out-ſtanding Publick Debts of this Iſland. — № 277. Expired.

An Act to enlarge the Time for the better raiſing and collecting a Tax by the Poll, and on Trades, in ſuch Pariſhes as have omitted doing the ſame within the Times limited by the former Act for that Purpoſe. — № 278. Expired.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes; and for repairing the Wall of Port Royal. — № 279. Expired.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes. — № 280. Expired.

An Act for the better carrying on and ſecuring the new Settlements at Port Antonio *in the Pariſh of* Portland. — № 281.

WHEREAS, the encouraging Numbers of Settlers, and the Security of them when ſettled, is of the greateſt Advantage and Publick Uſe as well as Strength to this Iſland in general: And whereas the Settlements already begun at *Port Antonio* cannot be carried on without a Guard of ſufficient Strength, to prevent the rebellious and runaway Negroes plundering and deſtroying the new Settlers, and alſo to deter the Enemy, in caſe of a War, from landing there, or attempting to take any Ships or Veſſels out of the Harbour, which may run in thither for Trade or Protection: And whereas the Act for the more effectual ſuppreſſing rebellious and runaway Slaves, and for encouraging Parties to be ſent out for that Purpoſe, as alſo for the better ſecuring the Settlements at *Plantain Garden River*, and other Out-parts of this Iſland, paſſed in *January*, One thouſand ſeven hundred and twenty five, is now expired, whereby the ſaid new Settlers at *Port Antonio* are left without a Guard, and, if not ſpeedily relieved and ſecured, muſt be obliged, to their great Damage, and to the great Detriment of the Publick, to deſert their new Settlements, and the ſaid Settlements become a Receptacle to the rebellious and runaway Slaves, and the Harbour there become uſeleſs and unſecure to the Ships and Veſſels of his Majeſty's Subjects, either for Trade or Protection: We your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of your Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty, for the better carrying on and ſecuring of ſo uſeful and profitable a Settlement, that it may be enacted, and it is hereby enacted by your Majeſty's Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, That a Party or Guard, conſiſting

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A Guard to be kept at *Port Antonio* for the Space of one Year, &c.

ing of fifteen white Men and ten Negro Shots, all accoutred with a good Gun, or Muſket (and all to be of the ſame Culliver and Bore) Cutlaſh, and Cartouch-box, with a ſufficient Quantity of Powder and Ball, ready made into Cartridges, and five Baggage Negroes, ſhall be kept out and reſide at *Port Antonio* for the Space of one Year, from and after the paſſing of this Act; and that the ſaid Party ſo to be kept out, be provided with the ſaid Arms and Ammunition, if Freemen, at their own Expence, and if indented Servants, or Slaves, at the Expence of their Maſters, and to be ſupplied by his Majeſty's Receiver General for the time being with Proviſions and other Neceſſaries during ſuch their Reſidence there, in Manner following; *to wit*, With three Barrels of Beef, and one Barrel of Flour, or Biſcuit, in Proportion for each white Man; and one Barrel of Beef or Herrings, for each Mulatto, *Indian*, or Negro, to be kept at the Town of *Titchfield*, and to be diſtributed by the Captain or Commander of ſuch Party, in juſt and equal Proportions, weekly; and in caſe of their being unprovided of Arms of the ſame Culliver and Bore as aforeſaid, the ſame to be provided for them by the Receiver General for the time being, at the Expence of the Publick, and diſtributed to each Man reſpectively, if unprovided, by the Commanding Officer of the ſaid Party, and the Price thereof to be by the Receiver General deducted out of their reſpective Pay as the ſame ſhall become due.

who are to range the Woods, &c. once a Fortnight, if neceſſary.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Party ſhall be commanded by an Officer to be appointed by the Governor, or Commander in Chief for the time being, and two Serjeants, one of whom ſhall be obliged, with one Half of the ſaid Party, or all, if found neceſſary, once every Fortnight, or oftner, if the Service requires it, to range all the Woods and Lands adjacent to the ſaid Settlements, and to go in Purſuit of, and deſtroy all runaway and rebellious Negroes which they may come up with, or have Intelligence of; and the other Serjeant, with the other Half of the ſaid Party, unleſs on any Emergency, or ſudden Attempt of the rebellious Negroes, ſhall be obliged to keep a conſtant Guard, or Watch, at the Town of *Titchfield*, on the Harbour, or at ſuch Place as may be found moſt convenient, for the Security of the ſaid Settlements.

Their Pay.

III. And be it further enacted by the Authority aforeſaid, That the ſaid Officer who ſhall command the ſaid Party, ſhall have and receive Ten Pounds *per* Month as his Pay; each of the ſaid Serjeants, Six Pounds *per* Month as his Pay; each of the ſaid white Men, Three Pounds *per* Month for his Pay; each of the ſaid Negro Shots, Twenty Shillings *per* Month for his Pay; and each of the ſaid Baggage Negroes, Twenty Shillings *per* Month for his Pay, during his and their actual Reſidence and being in Service only, and not otherwiſe; but if endented Servants and Slaves, the ſame to be paid to their reſpective Maſters.

Surgeon's Pay.

IV. And for the further Encouragement of the ſaid Party, be it further enacted by the Authority aforeſaid, That a Surgeon ſhall be provided for taking care of the ſaid Party, and any other that may come into that Pariſh, who ſhall be allowed during his actual Reſidence there, and not otherwiſe, Five Pounds *per* Month as his Pay.

Officer, &c. to have the Benefit of the Act paſſed in *Jan.* 1725.

V. And that all and every the Officer, Serjeants, and Men, as well Whites as Negroes, ſhall, over and above their Pay aforeſaid, be intitled to receive the ſame Rewards, Immunities, and Privileges given and allowed in and by the ſaid Act, intituled, *An Act for the more effectual ſuppreſſing rebellious and runaway Slaves, and for encouraging Parties to be ſent out for that Purpoſe; as alſo for the better ſecuring the Settlements at* Plantain Garden River, *and other Out-parts of this Iſland*, paſſed in *January*, One thouſand ſeven hundred and twenty five, and be alſo ſubject and liable to the ſame Diſcipline, Orders, Rules, Penalties and Forfeitures enacted and expreſſed in the ſaid recited Act; and be alſo obliged, upon Orders from the Governor, or Commander in Chief for the time being, to join and march with any Party or Parties, and under ſuch Commanders, and on ſuch Service as ſhall be found neceſſary.

Officer, &c. may be diſcharged by Order of Governor, &c.

VI. And be it further enacted by the Authority aforeſaid, That the ſaid Officer, Serjeants, and private Men of this Guard or Party, ſhall be removed, changed, or diſcharged on ſuch Occaſion or Cauſe as to the Governor or Commander in Chief ſhall ſeem fitting and reaſonable; and that they ſhall be paid their Pay by the Receiver General out of the Surpluſage of any Fund or Funds unappropriated, or appropriated to the Uſe of Parties.

Receiver General to pay to them or their Order, their Rewards and Pay, &c.

VII. And in order to prevent any Perſons being defrauded of their Pay, or Rewards, or any their Officers making unjuſt Gains of the Neceſſities or Wants of ſuch Perſons ſent out in the ſaid Party, be it enacted by the Authority aforeſaid, That the Receiver General for the time being ſhall be, and he is hereby obliged and required to pay to them, or to their Order, ſuch Rewards or Pay as they ſhall become intitled to, in Money, or to themſelves, to their perſonal Satisfaction, and not to their Officer; nor ſhall any ſuch Officer, Serjeant, or private Man, or any in Truſt for them, preſume to retail out Goods, Proviſions, or Liquors there to any of the ſaid Party, or to any other Perſon for their Uſe, under the Penalty of One hundred Pounds for each Time he ſhall ſo offend; the one Half to the Perſon informing and proving the ſame, to the Satisfaction of the Governor, or Commander in Chief for the time being; and the other Half to the Uſe, and towards the Pay of the ſaid Party.

VIII. And

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VIII. AND whereas by an Act, intituled, *An Act for encouraging white People to come over and become Settlers in this Island, and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof*, the *Cuſtos* of the Pariſh of St. *George*, the *Cuſtos* of the Pariſh of St. *Thomas in the Eaſt*, both for the time being, *Richard Bathurſt*, *Jaſper Aſhworth*, *Robert Hamilton*, *James Paſsley*, *John Le Gay*, and Dr. *James Wilſden*, were appointed Commiſſioners for aſſigning and allotting Lands to be granted to every Perſon within the Thirty thouſand Acres thereby veſted in his Majeſty; ſome of whom are ſince dead, and others live ſo remote and diſtant, as renders it very troubleſome and difficult to get the ſaid Lands ſo granted, allotted, and aſſigned; be it therefore enacted by the Authority aforeſaid, That *John Stewart*, *John Brookes*, and *Samuel Orgill*, Eſquires, and *Alexander Brookes*, be added to the ſaid Number of Commiſſioners; and that the ſaid Commiſſioners, or any Three of them, ſhall be, and are hereby impowered to act in all Things in as full and ample Manner, and ſubject to the ſame Penalties, as if they had been named and appointed in and by the ſaid laſt mentioned recited Act: And in order to keep up the Number of the ſaid Commiſſioners for the future, it ſhall and may be lawful for the Governor and Commander in Chief for the time being, to nominate and appoint ſuch Perſon or Perſons to be Commiſſioners as he ſhall ſee fit, upon the Death, or other Incapacity, of any of the ſaid Perſons already appointed by this or the ſaid Act; and ſhall be impowered, after ſuch Nomination and Appointment of the Governor or Commander in Chief for the time being, to act in as full and ample Manner in all Things, and ſubject to the ſame Penalties, as if they had been named and appointed in this or the ſaid recited Act.

New Commiſſioners added, for executing the herein recited Act,

and Governor may appoint others in the Room of any dying, *&c.*

IX. AND as a further Encouragement to new Settlers, be it further enacted by the Authority aforeſaid, That the ſaid Party, or ſuch Part thereof as ſhall not be ranging in the Woods after the rebellious Negroes, ſhall, as Opportunity offers, be employed in the making a Plantain Walk, and planting *Indian* Proviſions for the Reception of ſuch new Settlers and Party-men in that Part of the Land allotted for a Common, under the Penalty of Fifty Pounds; to be recovered from the Captain or Commander of the ſaid Party in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; one Half of which Penalty or Forfeiture ſhall be to the Informer, or him or them who ſhall ſue for the ſame, and the other Half to the Uſe of Parties; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

How the Party is to be employed, when they are not ranging the Woods.

An Act for the better ſecuring the Settlements in the moſt expoſed Pariſhes in this Iſland.

№ 282. Expired.

An Act for the ſtrengthening and ſecuring this Iſland againſt any Attempts to be made by foreign Enemies.

№ 283.

WHEREAS this Iſland, by its commodious Situation for Trade, its many good Harbours and Bays, amongſt potent and populous Neighbours, is in great Danger of being invaded, in caſe of any Rupture between *Great Britain* and *France*, or *Spain*; for the ſecuring therefore of this Iſland from any Attempts or Inſults in caſe of a War, we your Majeſty's moſt dutiful and loyal Subjects the Aſſembly of this your Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted and ordained by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the firſt *Tueſday* in *May* next enſuing, the Juſtices and Veſtry in each reſpective Pariſh of this Iſland, binding on the Sea-coaſts, are hereby required, impowered, and obliged to meet at the uſual Places of Meeting in each reſpective Pariſh, upon Twenty Days Notice given them in Writing from the Governor or Commander in Chief for the time being, and to aſſeſs, raiſe, and levy ſuch Tax or Taxes either in Money, or Labour of white Servants and Negroes, or in both, for the raiſing, erecting, and building ſuch Fortifications, Breaſt-works, Block-houſes, Guard-houſes, or other Defences, at ſuch Places, and at ſuch Expence and Charge, as ſhall by them be thought neceſſary, proper, and convenient, for their Security and Defence, to be approved of by the Governor or Commander in Chief for the time being, or by any other Perſon or Perſons by him for that Purpoſe appointed.

Juſtices, *&c.* of every Pariſh may levy a Tax for erecting Fortifications, *&c.*

II. AND after ſuch Place, Fort, Breaſt-work, or Block-houſe is appointed and agreed on, and the Tax laid by the ſaid Juſtices and Veſtries reſpectively, the ſaid reſpective Pariſhes ſhall immediately proceed in ſuch Manner, and according to the Direction and Orders of the Governor or Commander in Chief for the time being, or ſuch Perſon or Perſons by him appointed to erect and build ſuch Fortifications and Defences; which ſaid Tax is to be raiſed, aſſeſſed, and levied in Proportion to the Number of Slaves and Cattle which each

How the Tax is to be raiſed and levied.

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each Inhabitant ſhall have in the reſpective Pariſhes, and to be laid and raiſed in the ſame Manner, and ſubject to the ſame Penalties and Forfeitures as in and by an Act, intituled, *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and for repairing the Wall of* Port Royal, paſſed this preſent Seſſions of Aſſembly, is more particularly expreſſed and mentioned, as fully and amply as if the ſame were herein expreſſed, enacted, and mentioned.

Tradeſmen's Labour to be valued.

III. AND the ſaid Juſtices and Veſtry are hereby impowered, in laying and raiſing ſuch Tax, to apportion the Value of every neceſſary Tradeſman's Labour, and to make ſuch Allowance to the Perſons furniſhing the ſaid neceſſary Tradeſmen, as ſhall to them ſeem juſt and reaſonable.

Materials may be taken out of any Perſon's Ground, making reaſonable Satisfaction for the ſame.

IV. AND for the more expeditious erecting of the ſaid Forts or Defences, and providing the neceſſary Materials for that Purpoſe, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Perſons employed in that Service, to burn Lime, gather Stones, and burn Bricks, and cut Wood for that Purpoſe, in any Perſon's Land not planted in this Iſland, as may be moſt convenient and proper for the publick Service, and alſo to cut Timber uſeful and neceſſary for the ſaid Service (Cedar or Mahogony excepted) allowing the Owner or Proprietor of the Land wherein the ſaid Timber is cut, any Sum not exceeding Seven Pence Halfpenny *per* Foot for every ſolid Foot which they ſhall ſo cut or carry off.

Juſtices, &c. may raiſe a Number of Forces to defend the Fortifications.

V. AND to the Intent that ſuch Fortifications and Places of Defence may not be left without a ſufficient Strength to guard and maintain the ſame, be it further enacted, That the ſaid Juſtices and Veſtry in each reſpective Pariſh ſhall, and they are hereby impowered and required to raiſe a Number of white Men and Negroes, ſuch as they ſhall think neceſſary and proper, properly armed, accoutered, and provided with Ammunition and Proviſions from the ſeveral Settlements and Plantations in the ſaid reſpective Pariſhes, to be conſtantly reſident in ſuch Fortifications or Places, in caſe of a War, during ſuch Time, and under the Command of ſuch Officer or Perſon as the Governor or Commander in Chief for the time being ſhall think fit to order and appoint.

How they are to be armed, cloathed, and furniſhed with Proviſions.

VI. AND that the ſaid Men ſo raiſed may be properly armed, and the Ammunition provided be the more uſeful, and for Prevention of the Confuſion which may be occaſioned by the ill training of ſuch Men, and the different Sizes of their Arms, and their not being provided with proper Lodging and other Neceſſaries, be it further enacted by the Authority aforeſaid, That each white Man or Negro ſo raiſed and fitted out, ſhall be armed with a good Gun, Bayonet, and Cutlaſh, or Musket and a Cartouch-box, filled with twelve Cartridges at the leaſt, ready made up, with a proportionable Quantity of ſpare Powder and Ball; if Freemen, at their own Charge; if indented Servants or Slaves, at the Charge of their reſpective Maſters: All which ſaid Guns ſhall be of the ſame Culliver and Bore of the Muskets uſually made uſe of in his Majeſty's Ordnance; and that the ſame be provided within the Space of Nine Months from and after the paſſing of this Act; and that all the ſaid Perſons raiſed throughout the ſaid Iſland, ſhall be trained up and exerciſed in one and the ſame Manner, as ſhall by the Governor or Commander in Chief be preſcribed and directed; and ſhall alſo have proper Huts or Houſes erected in the ſaid Places of Defence for their Security from the Weather, and be cloathed in Cloaths of the ſame Colour, and provided with a ſufficient Quantity of Victuals and Drink by their reſpective Maſters, and delivered to them at their ſaid Quarters; each Perſon to be allowed at the leaſt Ten Pounds of Beef and Flour, or *Indian* Proviſions proportionable *per* Week, and a good Blanket and Plantain Bed, or Mattreſs, for their Bedding.

Two *Indians* to ſerve inſtead of one white Man, &c.

VII. AND for the making the free Negroes, Mulattoes, and *Indians* more uſeful, be it further enacted by the Authority aforeſaid, That it ſhall be lawful for any Perſon ſo taxed, or for the ſaid Negroes, *Indians*, or Mulattoes themſelves, to hire ſuch *Indians*, Negroes, or Mulattoes out at the Half of the Rate given and allowed for one white Man, and that Two of them, if ſo fitted out and hired, ſhall ſerve as a Deficiency, and paſs in Stead and Lieu of one white Man; and that all thoſe white Men ſo raiſed and fitted out, paſs as Deficiencies in the ſeveral Plantations to which they belong.

Penalty on Officers neglecting the Duty herein preſcribed them.

VIII. AND for the more effectual putting this Act, and the ſeveral Matters and Things therein contained in Execution, be it further enacted by the Authority aforeſaid, That each Juſtice of the Peace, who ſhall neglect or refuſe to do his Duty therein, ſhall forfeit the Sum of One hundred Pounds; each Veſtryman refuſing or neglecting his Duty therein, Eighty Pounds; and every private Man, Fifty Pounds, for every Neglect or Refuſal: All which ſaid Penalties and Forfeitures ſhall be recovered by Action of Debt, Bill, Plaint, or Information in the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, Imparlance, Wager of Law, or Injunction ſhall be allowed; one Half of which ſaid Penalties and Forfeitures ſhall be to the Uſe of the ſaid Fortifications, and the other Half to the Informer, or him or them who ſhall ſue or proſecute for the ſame.

IX. AND

IX. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do, within thirty Days after the paſſing of this Act, make out a Copy thereof for each of the reſpective Pariſhes of this Iſland, and cauſe the ſame to be delivered to the reſpective *Cuſtos's* or chief Magiſtrates of the ſeveral Pariſhes of this Iſland, under the Penalty of Ten Pounds for each Copy not ſo made out and delivered; and for each of which Copies he ſhall have and receive from the Receiver General the Sum of Twenty Shillings, and no more; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1728. Secretary to deliver a Copy of this Act to every Pariſh in the Iſland.

An Act to enlarge the Time for the better raiſing and collecting the Deficiency and Poll Tax in ſuch Pariſhes as have omitted doing the ſame within the Times limited by the former Acts for that Purpoſe. 1729. № 284. Expired.

An Act to prevent Dangers that may ariſe from diſguiſed as well as declared Papiſts. № 285. Repealed.

An Act for the more effectual collecting the Out-ſtanding publick Debts. № 286. Expired.

An Act for veſting Twenty Acres of Land in Lynch's *Iſland in the Crown.*

1730. № 287.

WHEREAS, by an Act of your Majeſty's Governor, Council, and Aſſemby of this your Iſland, intitled, *An Act for ſettling the North-eaſt Part of the Iſland*; paſſed in the Year of our Lord One thouſand ſeven hundred and twenty two, it was (amongſt other things) enacted, That twenty Acres at the leaſt of *Ruther*'s or *Lynch*'s Iſland ſhould be veſted in the Crown, to the Uſes, Intents, and Purpoſes in the ſaid Act mentioned: And whereas, ſince the paſſing of the ſaid Act, your Majeſty has been graciouſly pleaſed, in order to promote and ſecure the Settlement intended by the ſaid Act, to purchaſe the Remainder of the ſaid *Ruther*'s or *Lynch*'s Iſland: And it is found neceſſary to appropriate the ſaid Twenty Acres, for the Conveniency of building Store-houſes and Wharfs for your Majeſty's naval Stores, and careening your Majeſty's Ships of War, the Protection of which will greatly ſecure and promote the Settlement of the adjoining Part of this Iſland; we therefore moſt humbly pray your Majeſty that it may be enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid Twenty Acres, Part of *Ruther*'s or *Lynch*'s Iſland, veſted in the Crown by the ſaid in Part recited Act for the ſettling the North-eaſt Part of the Iſland, to and for the Uſes and Purpoſes in the ſaid Act, ſhall be, and the ſaid twenty Acres are hereby enacted and declared to be veſted in your Majeſty's, your Heirs and Succeſſors, for ever, abſolutely, and without any Limitation, to be diſpoſed of by your Majeſty, your Heirs and Succeſſors to ſuch Uſes as your Majeſty, your Heirs or Succeſſors, ſhall think proper; any thing in the ſaid recited Act, or in any other Act or Law to the contrary thereof in any wiſe notwithſtanding. 20 Acres of Land in *Lynch*'s Iſland veſted in the Crown.

An Act for the better amending the Highways.

№ 288.

WHEREAS the Act for the Highways, formerly made, has been found defective and inſufficient; for the better amending therefore of the common Highways, and for laying out new, and turning old ones where it ſhall be needful, we, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Iſland of *Jamaica*, humbly beſeech

1730.

All new Roads laid out to be recorded.

ſeech your Majeſty that it may be enacted, be it therefore enacted by the Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That wherever a new Road is, or ſhall hereafter be laid out, purſuant to the Direction of an Act of this Iſland, intituled, *An Act for the Highways*, the ſame ſhall be recorded at the next general Quarter-ſeſſions of the Peace in the Precinct where ſuch Road is: Provided, That if any Road confirmed by this Act ſhall be found inconvenient, it ſhall and may be lawful for any Perſon injured thereby, to get a Jury to turn the ſame, purſuant to the Direction of the ſaid Act, intituled, *An Act for the Highways*; and that no Perſon whatſoever do obſtruct, hinder, or prevent any Jury from going to, and laying out ſuch a Road, purſuant to the Direction of the ſaid laſt Highway Act, under the Penalty of One hundred Pounds.

Perſons exempted from being choſen Surveyors of the Highways.

II. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, reſident in any Pariſh of this Iſland, ſhall be free or exempted from being choſen a Way-warden or Surveyor of the Highways for the ſaid Pariſh, provided he be not compelled or obliged to ſerve above once in three Years; provided alſo, that he be not one of the Council, nor Chief Juſtice, nor has been of the Council or Chief Juſtice, nor any Member of the Aſſembly for the time being, nor Aſſiſtant Judge of the Grant Court, nor *Cuſtos*, nor any Officer executing any of the Patent Office, of this Iſland, who ſhall not be choſen without their Conſents firſt had and obtained; and that every Perſon ſo choſen a Surveyor or Way-warden, ſhall, within twenty Days after Notice to him given, purſuant to the Direction of the ſaid Act for the Highways, get himſelf ſworn before ſome Juſtice of the Peace in the ſaid Pariſh, under the Penalty of forfeiting Fifty Pounds, over and above the Penalties inflicted and preſcribed in the ſaid Act: And that every Clerk of the Veſtry, or Clerk of the Peace, refuſing or neglecting to give ſuch Surveyor or Way-warden Notice in Writing, either perſonally, or to be left at the Dwelling-houſe of ſuch Perſon within five Days after ſuch their Election, he ſhall forfeit the Sum of Twenty Pounds, over and above the Penalties in the ſaid Act for the Highways: And every Juſtice, who ſhall, on Application, refuſe to ſwear in ſuch Way-warden or Surveyor, ſhall forfeit the like Sum of Twenty Pounds.

Surveyors to be ſworn.

Neglecting to mend the Road allotted them, to forfeit 100 *l.*

III. And be it further enacted by the Authority aforeſaid, That every Surveyor or Way-warden who ſhall neglect to amend and repair the Road allotted him, or for which he was choſen, for the Space of one Month after ſuch his being ſworn and qualified, ſhall, upon the View of the ſaid Road by any Two Juſtices of the Peace in the ſaid Pariſh or Precinct, forfeit the Sum of One hundred Pound; which ſaid Sum the ſaid Two Juſtices, or any other Two Juſtices of the ſaid Precinct, are impowered to levy and aſſeſs, as hereafter mentioned.

Penalty on Perſons refuſing to ſend their Proportion of Negroes, &c.

IV. And be it further enacted by the Authority aforeſaid, That upon the Surveyor's iſſuing his Warrant or Warrants to the Conſtables, purſuant to the ſaid Act for the Highways, every Perſon who ſhall fail, neglect, or refuſe to ſend the Number of Negroes, Tools, or other Inſtruments allotted him by the Juſtices and Veſtry, or the reſpective Surveyors, in caſe no Allotment be made by the Juſtices and Veſtry, according to the ſeveral Acts for the Highways, ſhall forfeit for every Negro ſo deficient or wanting, or not ſent, the Sum of Three Shillings *per Diem*, during the Time the Surveyor ſhall be employed in amending the ſaid Roads.

Surveyors to inform ſome Juſtice, upon Oath, of the Number of Negroes, &c. wanting, and the Perſons neglecting;

who is to iſſue his Warrant to levy the Penalty by Diſtreſs, &c.

V. And that it may be the better known who ſhall prove deficient, or neglect ſending the Proportion of Negroes, or Tools allotted them, be it enacted by the Authority aforeſaid, That the ſaid Surveyors reſpectively ſhall, and they are hereby obliged, under the Penalty of Fifty Pounds, immediately on their having finiſhed the Repairing or Amendment of the Road allotted them, to repair to ſome Juſtice of the Peace in the ſaid Pariſh, and upon Oath (which Oath the ſaid Juſtice is hereby required and impowered to adminiſter) inform the ſaid Juſtice of the Number of Negroes or Tools ſo wanting, or not ſent, and the Perſon ſo neglecting or refuſing to ſend them; which ſaid Juſtice is hereby impowered and required, under the Penalty of One hundred Pounds for every Neglect or Refuſal, forthwith to iſſue his Warrant or Warrants to the reſpective Conſtable or Conſtables, commanding them to levy the ſaid Three Shillings *per Diem* of ſuch Perſon ſo offending and neglecting, notwithſtanding the ſaid Sum do exceed Forty Shillings, by Diſtreſs and Sale of the Negroes, Cattle, Mules, and Goods of the Perſon ſo offending, neglecting, or refuſing, for the Uſe of the Highways.

Proviſo.

VI. Provided alſo, That if the Juſtices and Veſtry of any Pariſh ſhall refuſe or neglect to allot a reaſonable Proportion of Hands for the amending and repairing of every Road ſo laid out as aforeſaid in their reſpective Pariſhes, any Perſon injured thereby may have his Action for Damages in any Court of Record in this Iſland againſt the ſaid Juſtices and Veſtry, or any of them.

Penalties how to be recovered.

VII. And be it further enacted by the Authority aforeſaid, That all Penalties or Forfeitures herein before mentioned, or in the ſaid Act, intituled, *An Act for the Highways*, and not mentioned and expreſſed herein before, how, or where to be recovered, ſhall be recovered,

recovered, adjudged, and impoſed by any Two Juſtices in the ſaid Pariſh or Precinct, and be levied and collected by Warrant under the Hands and Seals of Two Juſtices of the ſaid reſpective Pariſhes or Precincts, by Diſtreſs, and Sale of ſuch Diſtreſs, to the Uſe, and for the Repair of the Highways; any thing in this, or any other Act to the contrary notwithſtanding. 1730.

VIII. AND be it further enacted by the Authority aforeſaid, That the ſeveral Roads cut, made, or cleared, during the late Martial Law in this Iſland, from *Pedro*'s, in the Pariſh of *Clarendon*, to St. *Ann*'s *Bay*, and from the *Cave* in the Pariſh of *Weſtmoreland*, to *Montego Bay* in the Pariſh of St. *James*, ſhall for ever hereafter be deemed, and are hereby declared to be publick Roads, or King's Highways, and be opened, repaired, and cleared, according to the Dimenſions preſcribed in the ſaid Act, intituled, *An Act for the Highways*, by the reſpective Pariſhes, to the Extent of their ſeveral and reſpective Bounds, and ſhall be ſubject and liable to all ſuch other Regulations as other King's Highways and publick Roads are by the ſaid Act for the Highways, or this Act; any thing in this, or any other Act contained to the contrary notwithſtanding. Publick Roads.

IX. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do, within Twenty Days after the paſſing of this Act, ſend Copies thereof to the ſeveral *Cuſtos*'s of this Iſland; for each of which Copies he ſhall have and receive from the Receiver General the Sum of Ten Shillings, and no more. Secretary to ſend Copies of this Act to the *Cuſtos*'s.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and for repairing the Wall of Port Royal. № 289. Expired.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes. № 290. Expired.

An Act for the better ſuppreſſing and reducing the rebellious and runaway Negroes. № 291. Expired.

An Act for the better regulating Slaves, and rendering free Negroes and Mulattoes more uſeful; and preventing Hawking and Pedling; and enlarging the Time for the Commiſſioners collecting the out-ſtanding Debts. № 292. Repealed.

An Act for raiſing Parties for diſlodging and reducing the rebellious Slaves in the Windward and other Parts of this Iſland. № 293. Expired.

An Act for raiſing of Money, and applying the ſame to the Uſe of Parties to be ſent out to diſlodge and reduce the rebellious Slaves in the Windward and other Parts of this Iſland. № 294. Expired.

An Act for explaining an Act, intituled, An Act for raiſing of Money, and applying the ſame to the Uſe of Parties to be ſent out to diſlodge and reduce the rebellious Slaves in the Windward and other Parts of this Iſland; *and giving further Time for the aſſeſſing, collecting, and paying in the Taxes therein mentioned.* № 295. Expired.

1730.
№ 296. Expired. *An Act for keeping out the Parties under the Command of Capt.* Brooke *for a longer Time.*

№ 297. *An Act for preſerving the Harbours of* Port Antonio, *in the Pariſh of* Portland.

WHEREAS the ſinking of the Wrecks of Ships, Sloops, and Boats, and flinging overboard of Ballaſt, Dirt, or Sullage, may in Time be of great Detriment and utter Ruin of the Eaſtern and Weſtern Harbours of *Port Antonio:* For Prevention whereof, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted, and it is hereby enacted by the Authority of the ſame, That from and after the firſt Day of *December* next, no Perſon whatſoever preſume to ſink in the ſaid Harbours any Wreck or Wrecks of any Ships, Sloops, or Boats, or to throw overboard any Ballaſt, Dirt, or Sullage into any Part either of the Eaſtern or Weſtern Harbours of *Port Antonio*, or into the Channel leading into either of the ſaid Harbours, under the Penalty of forfeiting Ten Pounds current Money of this Iſland.

Penalty on Perſons ſinking any Wrecks, &c. in the Harbours,

II. AND whereas the Reef of Rocks and Stones that runs from the Weſt Part of *Navy* or *Lynch*'s Iſland to the Main, is of great Security to the ſaid Harbours of *Port Antonio*, be it therefore enacted by the Authority aforeſaid, That from and after the firſt Day of *December* next, no Perſon whatſoever do preſume to move off or carry away from the ſaid Reef of Rocks, any Rocks or Stones, under the Penalty of forfeiting the like Sum of Ten Pounds: All which Forfeitures and Penalties ſhall be recovered in a ſummary Manner before any Two of his Majeſty's Juſtices of the Peace for the ſaid Pariſh of *Portland*, or of the adjacent Pariſhes of St. *George* and St. *Mary*; who are hereby required and impowered, upon any Information being made to them by the Commander in Chief of his Majeſty's Ships of War, or by any other Officer belonging to his Majeſty's Navy, or by any other Perſon whatſoever, to hear and determine the ſame upon the Oath of any one or more credible Witneſſes of the Offence aforeſaid; and upon any Perſon or Perſons being convicted thereof upon Oath, as aforeſaid, they the ſaid Juſtices, ſhall commit the Party ſo offending to the next Gaol, where he or they ſhall remain until he or they have paid the ſaid Sum of Ten Pounds, without Bail or Mainprize.

or carrying away from the Reef of Rocks any Stones, &c.

III. AND if any Juſtice, upon Information or Application being made to him, as aforeſaid, ſhall omit or refuſe to do his Duty therein, the Juſtice ſo offending ſhall forfeit the Sum of Fifty Pounds; to be recovered in his Majeſty's Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information: One Half of all ſuch Forfeitures mentioned in this Act, is hereby declared to be to the Informer, or to him or them who ſue for the ſame; and the other Half for and towards the Uſe of his Majeſty's Fortifications at *Port Antonio*; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Penalty on Juſtice omitting his Duty.

№ 298. *An Act for repealing an Act to prevent Dangers that may ariſe from diſguiſed as well as declared Papiſts.*

WHEREAS it hath been found by Experience that an Act, intituled, *An Act to prevent Dangers that may ariſe from diſguiſed as well as declared Papiſts*, paſſed in the Month of *Auguſt*, in the Year of our Lord One thouſand ſeven hundred and twenty nine, hath not anſwered the Purpoſes for which it was intended; but on the contrary, already hath, and may further ſerve to diſcourage Proteſtants, well affected to his Majeſty's Government, from coming over to ſettle in this Iſland; which, as the Number of white Inhabitants are few, may be of very bad Conſequence to the Welfare and Safety thereof, if continued: For Prevention of which, we, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; and it is enacted by the Governor, Council, and Aſſembly, and by the Authority of the ſame, That the aforeſaid Act, paſſed in the Month of *Auguſt*, in the ſaid Year of our Lord One thouſand ſeven hundred and twenty nine, ſhall be, and is hereby repealed and made void to all Intents and Purpoſes.

Repeal of a former Act.

1730.
№ 299.

An Act to prevent the ſelling of Powder to rebellious, or any other Negroes whatſoever.

WHEREAS it may reaſonably be conjectured that the great Number of Places where Powder is at preſent vended in all Parts of this Iſland, contributes very much to the ſupplying of rebellious Negroes therewith, which tends to the increaſing their Numbers, being a Means not only of ſupplying themſelves with Proviſions, but likewiſe of robbing and plundering the remote Parts of the Iſland, to the great Diſcouragement of new Settlements: We therefore, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council and Aſſembly of this Iſland, and by the Authority of the ſame, That no perſon whatſoever within this Iſland ſhall, after the Twentieth Day of *February* next, ſell, or otherwiſe diſpoſed of by Retail, in any Quantity leſs than Fifty Pounds Weight, any Sort of Gunpowder to any Perſon whatſoever within this Iſland, before ſuch Perſon ſhall firſt have obtained a Licence from under the Hand and Seal of the Governor, or Commander in Chief for the time being; which Licence is not to be granted but upon a Certificate from the Juſtices and Veſtry of the Pariſh where ſuch Perſon reſides, that he is duly qualified, and fit to be truſted with the Sale of ſuch Powder; which Certificate ſhall be recorded in the Secretary's Office before ſuch Licence ſhall be granted.

Gunpowder not to be ſold in leſs Quantity than 50 *lb.* Weight, to any Perſon, without Licence from the Governor, *&c.*

II. AND ſuch Perſon or Perſons obtaining ſuch Licence or Licences, as aforeſaid, ſhall be obliged, before he or they ſhall vend, ſell, or diſpoſe of any Powder, to take the following Oath before the Governor, or Commander in Chief for the time being, or before the *Cuſtos* of the Precinct where he or they reſide, *viz.*

Oath to be taken by Perſon before Licence is granted him.

I A. B. *do ſwear, That I will not vend, ſell, or diſpoſe of, or ſuffer any Perſon or Perſons in my Service or Employ, or under my Command, to vend, ſell, or diſpoſe of any Gunpowder to any white Perſon or Perſons not knowing them to be Houſe-keepers, unleſs ſuch Perſon or Perſons ſhall have a Certificate from ſome Juſtice of the Peace of the Precinct where he or they ſhall reſide, or commiſſioned Officer of the Company or Troop of Militia to which he or they belong, that they are Perſons proper to be intruſted with the ſame; and that I will not vend, ſell, diſpoſe of, or deliver, or ſuffer to be vended, ſold, diſpoſed of, or delivered to any free Mulatto, Negro, or* Indian, *any Powder without a Certificate from the Captain of the Company in the Precinct to which he belongs; and that I will not vend, ſell, or diſpoſe of, or deliver, or ſuffer to be vended, ſold, diſpoſed of, or delivered, any Powder to any Mulatto, Negro, or* Indian *Slave, upon any Pretence whatſoever.*

So help me God.

III. AND that no Perſon ſhall have a Licence granted unto him or them for the Sale of Powder, as aforeſaid, without firſt becoming bound to our Sovereign Lord the King in a Bond, with ſufficient Surety or Sureties in the Secretary's Office of this Iſland, in the Sum of Five hundred Pounds, for the due Performance of the ſaid Truſt, agreeable to the ſaid Oath.

and give 500 *l.* Security for due Performance of his Truſt.

IV. AND that there ſhall not be Licences granted to more than one Perſon in each of the three Towns of St. *Jago de la Vega*, *Port Royal*, and *Kingſton*, where Powder ſhall be ſold by Retail as aforeſaid only; and for each of which Licences the Perſon or Perſons to whom they are granted ſhall pay the Sum of Five Pounds of current Money of this Iſland *per Annum*; and the ſaid reſpective Sums of Five Pounds ſhall be, and are hereby appointed to the Uſe of Parties; and ſuch Perſon and Perſons ſhall alſo pay Fifteen Shillings to the Secretary for taking the ſaid Bond, recording the Certificate, and paſſing the Licence, and no more.

But one Perſon to be licenſed to ſell Gunpowder in each of the 3 Towns and pay 5 *l. per* Licence.

V. AND that no Perſon or Perſons whatſoever, not having a Licence, as aforeſaid, ſhall vend, ſell, diſpoſe of, or deliver any Gunpowder by Retail in any Quantity leſs than Fifty Pounds Weight, under the Penalty of Five hundred Pounds, and ſix Months Impriſonment without Bail or Mainprize; which Forfeiture and Penalty ſhall be heard, adjudged, recovered, and determined by the Judges of his Majeſty's Supreme Court of Judicature of this Iſland; and that the Evidence of any one white Perſon ſhall be ſufficient to convict ſuch Offender or Offenders, if againſt a white Perſon, and if againſt a Mulatto, *Indian*, or Negro Slave, the Evidence of any one Mulatto, *Indian*, or Negro ſhall be ſufficient to convict him, her, or them; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Unlicenſed Perſons ſelling Gunpowder in leſs Quantity than 50 *l.* Weight, forfeit 500 *l.*

Licenſed Perſons to keep all their Powder, but two Barrels, in the Magazines.

VI. AND the Perſon ſo licenced to ſell Powder and Ammunition in any of the Three Towns, ſhall, in order to prevent any Dangers that may happen, be obliged to put and keep

1730.

keep all his Powder, excepting the Quantity of Two Barrels at a Time, in the Magazines.

which the Captains are obliged to receive and deliver out.

VII. AND the Captain of the Fort, and all others that have the Cuſtody of the ſaid Magazines, or any of them, are hereby obliged and required to receive and keep the ſaid Powder, and deliver out the ſame as Occaſion ſhall require, under the Penalty of One hundred Pounds; for which he ſhall have and receive from the Owner at and after the Rate of Two Shillings and Six Pence *per* Barrel.

The beſt Piſtol Powder not to be ſold for more than 1 *s.* and 10 *d.* Halfpeny *per lb.*

VIII. AND to prevent ſuch Perſons to whom ſuch Licences ſhall be granted, as aforeſaid, from extorting or demanding a larger Price than what is common and uſual for Gunpowder, be it enacted by the Authority aforeſaid, That they ſhall not demand or receive above One Shilling and Ten Pence Halfpenny *per* Pound for the beſt Piſtol Powder in each of the Three Towns aforeſaid, under the Penalty of Forty Shillings for every ſuch Offence; to be recovered upon the Oath of any one white Perſon, before any of his Majeſty's Juſtices of the Pariſh where ſuch Offence ſhall be committed; one Half whereof ſhall be to the Informer, and the other Half paid to the Receiver General, to be by him applied for the Uſe of Parties; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

№ 300. Expired. *An Act for the Encouragement of voluntary Parties, and in Default of them, to raiſe and ſend out others, to ſuppreſs the rebellious Negroes in the Windward Parts of this Iſland.*

№ 301. Expired. *An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes.*

№ 302. Expired. *An Act for raiſing a Tax by the Poll, and on Trades, Offices, and Rents, and applying the ſame to ſeveral Uſes.*

№ 303. Expired. *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and for laying a Duty upon Shipping, and applying the ſame to ſeveral Uſes.*

№ 304. Expired. *An Act for the appropriating and applying Money for the Payment of the additional Subſiſtence of the Officers and Soldiers of the Two Regiments arrived, and for other Uſes, and aſcertaining the voluntary Rewards to be allowed them for the Services they perform; and to oblige ſuch Pariſhes as have not already made up their Accounts, and paid in their Arrears, to do the ſame in a prefixed Time.*

1731. № 305. Expired. *An Act for rendering the Two Regiments of Soldiers more ſerviceable, and providing an additional Subſiſtence for them for a longer Time; and more ſpeedy Reduction of the rebellious Negroes.*

An

An Act for rendering the Bath, in the Pariſh of St. Thomas in the Eaſt, *more ſerviceable.*

1731.
N° 306.

WHEREAS the Laws heretofore made for rendering the Bath, in the Pariſh of St. *Thomas in the Eaſt*, beneficial and advantageous to the ſick and infirm Inhabitants of this Iſland; for want of due Execution of the ſaid Laws, notwithſtanding the great Expence it hath been to the Iſland, hath not hitherto anſwered the Purpoſes intended, to the great Prejudice of the ſick and infirm Inhabitants: And in regard the Purpoſes intended by the Act, intituled, *An Act to make ſundry Perſons a Body politick, and Directors for the Bath of St.* Thomas *the Apoſtle*, or the Purpoſes intended by the ſaid Directors, Grantors, and Leſſors of the Bath Lands, Negroes, and Mules, are not proſecuted or complied with by the Grantees or Leſſees thereof, but the Mules and Negroes belonging thereto are ſolely employed in bringing the ſaid Bath Water to Market for Sale, and private Uſes; and that there is no Houſe nor proper Conveniencies provided by ſuch Leſſees on the Bath Lands for the Accommodation and neceſſary Entertainment of ſick Perſons there: In order therefore to remedy ſuch Evils, and for the Advancement and Furtherance of ſo univerſal a Good, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That all Leaſes or Grants of the Spring or Springs called the *Bath*, and the Land thereto belonging, or of any Part thereof, and of all Negroes, Mules, and other Neceſſaries to the ſame belonging, or in any wiſe appertaining, ſhall from henceforth ceaſe, determine, and be utterly void, to all Intents and Purpoſes whatſoever.

All Leaſes, &c. of the Bath, &c. void.

II. AND for the Advancement of ſo good and charitable a Work, be it enacted by the Authority aforeſaid, That the Receiver General do, out of any Fund or Funds unappropriated, pay unto *Ezekiel Gomerſall*, *William Hayman*, *William Gordon*, *Andrew Arcedeckne*, *Alger Peſtell*, *Thomas Edlyne*, *Robert Strachan*, and *Robert Duckingfield*, Eſquires, or any Two of them, the Sum of Five hundred Pounds, to be laid out in the building a good comfortable Dwelling-houſe, the Wall to be of Stone, or Brick and Lime, Three Feet thick to the Water Table, and Two Feet thick from thence to the Top, with good and convenient Chimnies, a Kitchen, and Ovens, of like Materials, on ſuch Part of the ſaid Bath Land as the ſaid *Ezekiel Gomerſall*, *William Hayman*, *William Gordon*, *Andrew Arcedeckne*, *Alger Peſtell*, *Thomas Edlyne*, *Robert Strachan*, and *Robert Duckingfield*, or any Two of them, ſhall judge proper and convenient.

500 *l.* to be paid to the Perſons herein named, who are to build a Dwelling houſe according to the Directions herein given.

III. AND for the better enabling the ſaid Commiſſioners, or any Two of them, to carry on ſo laudable a Work in the moſt effectual Manner, be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Two of them, to make uſe of ſuch Part, and ſo much of the ſaid Lands as they, or any Two of them, ſhall think proper; and alſo to burn Lime, dig Sand or Marle, carry Stones, and cut Timber ſufficient for the Purpoſes aforeſaid in any Part of the ſaid Land; any Act, Law, Statute, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

They may dig Materials, &c. out of any Part of the Bath Land.

IV. AND that from henceforth it ſhall and may be lawful to and for the Directors of the Bath of St. *Thomas* the Apoſtle, and their Succeſſors for the time being, or the major Part of them, to grant and leaſe out the Bath Houſe and Buildings, and any Quantity of the Bath Land, not exceeding one hundred Acres, to ſuch Perſon and Perſons as the ſaid Directors of the Bath of St. *Thomas* the Apoſtle, and their Succeſſors for the time being, or the major Part of them, ſhall from time to time think fit, for any Term or Number of Years, not exceeding one and twenty Years in Poſſeſſion, ſo as ſuch Perſon or Perſons to whom any ſuch Leaſe or Leaſes ſhall be made, ſhall reſide on the ſaid Land, and uſe his or their utmoſt Endeavours to provide and find all uſeful and neceſſary Accomodations, Lodgings, Attendance, and Proviſions for all ſuch ſick and infirm People as ſhall require the ſame, at Reaſonable Rates and Prices, and give ſufficient Security to perform the ſame; and alſo to grant and leaſe out, for any Term not exceeding One and twenty Years in Poſſeſſion, to any other Perſon or Perſons who ſhall reſide upon ſuch Land, any Quantity of the Bath Land, not exceeding Thirty Acres, to any one Perſon.

100 Acres of the Land may be let to build an Houſe for the convenient Reception of the Sick, &c.

V. AND in order to aſcertain the Bounds of the ſaid Lands, be it alſo enacted, That the ſame be ſurveyed and laid out in ſuch Parcels as aforeſaid, at the Expence of the Publick, on or before the Twenty fifth Day of *December* next, or at any Time after, as the ſaid Commiſſioners, or any Two of them, ſhall appoint and direct.

Lands to be ſurveyed, &c. at the Publick Expence.

VI. AND for the better Advancement of ſo good a Work, be it enacted by the Authority aforeſaid, That a Road be laid out, opened, and cleared, from the Plantation called *Cardiff's* at *Port Morant*, through Mr. *Curtis*'s, *Lloyd*'s, Captain *Brookes*'s, and *Plummer*'s, purſuant to the Directions of an Act, intituled, *An Act for the Highways*, by the Negroes belonging

Negroes appointed to work in laying out a Road to the ſaid Bath.

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belonging to Colonel *Swymmer*'s Plantation, *Risbee*'s, *Wignall*'s, *Taylor*'s, *Yeamans*'s, *Roe*'s, *Blair*'s, *Garrioch*, or *Cardiff*'s, *Pero*, *Bowden*'s, *Stoakes*'s, *Curtis*'s, *Feak*, and *Aldcroft*'s, *Feak*'s Penn, Colonel *Warren*'s, *Brookes*'s, *Plummer*'s, *Ayscough*'s, and *Plantain Garden River*, to the said Spring or Springs and Bath, within the Space of Six Months; and that the said *Andrew Arcedeckne*, and *Thomas Edlyne*, Esquires, and *Thomas Plummer*, and *John Swarton*, junior, or any one or more of them, be, and they are hereby nominated and appointed Surveyors of the said Highway or Road.

On Surveyors Application, Justice of Peace is to summon a Jury to lay out the Road.

VII. And the better to enable the said Surveyors to do their Duty in making the said Road, they, or any one or more of them, are hereby impowered to apply to any one Justice of the Peace, who, on such Application, is hereby required to issue his Warrant to summon a Jury to lay out the said Road, under the Penalty of One hundred Pounds.

Penalty on Persons neglecting to send Negroes, &c.

VIII. And the said Surveyors are hereby also required and obliged, within Thirty Days after the said Roads shall be so laid out, to issue their Warrant to warn the aforesaid Plantations or Settlements out of every Five given into the Vestry in the said Parish, to send one able working Negro with proper Tools, such as the said Surveyors, or any one or more of them shall direct, to work at such Place as the said Surveyors, or any one or more of them shall direct; and there to continue until the said Road be opened, cleared, and mended, under the Penalty of Fifty Pounds for every Person who shall neglect sending his Negro or Negroes with such Tools as aforesaid; and if any Person or Persons shall neglect or delay to send his, her, or their Number or Complement of Negroes with proper Tools, and continue them as aforesaid, he shall, for every Neglect or Refusal, forfeit and lose the Sum of Five Shillings a Day; to be recovered by Warrant from any Justice of the Peace, who, on Application and Proof made by Oath, is hereby obliged and required to issue such Warrant, under the Penalty of Fifty Pounds.

Directors may grant Land to Soldiers.

IX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Directors of the Bath of St. *Thomas* the Apostle, and their Successors for the time being, or the major part of them, to grant any Number of Acres, not exceeding Thirty Acres of the said Bath Land, to any Soldier or other Person who shall settle and manure the same: But if any such Grantee shall neglect settling or manuring the said Land for the Space of Six Months after the Date of such Grant, or having once settled, or begun a Settlement on any Part, and shall quit or decline the Continuation thereof for the space of Three Months, he shall forfeit the same, to all Intents and Purposes, to the Directors of the Bath of St. *Thomas* the Apostle aforesaid, and their Successors for the time being; and the said Directors of the Bath of St. *Thomas* the Apostle, and their Successors for the time being, or the major Part of them, may at any Time afterwards grant and convey the same; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

Settlers exempted from Taxes for 7 Years.

X. And all Persons who shall, in Pursuance of this Act, settle on the said Bath Lands, or any Part thereof, shall, and they are hereby exempted from all Parochial and Publick Taxes whatsoever for Seven Years, from the Time they shall begin such Settlement or Settlements; any Law, Custom, or Usage to the contrary notwithstanding.

Penalties how to be recovered.

XI. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures herein before mentioned, and not declared where they shall be recovered, or how disposed of, shall be recovered in the Supreme Court of Judicature of this Island, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or Injunction shall be granted or allowed; and shall be to the said Directors of the Bath of St. *Thomas* the Apostle, and their Successors for the time being, to and for the Use and Benefit of the said Bath; the said Act, or any other Act, Law, Custom, or Usage to the contrary in any wise notwithstanding.

№ 307. Private. *An Act for vesting the Real Estate late of* John Todd, *formerly of the Parish of St.* Andrew, *Planter, deceased, in Trustees, for Performance of his Will, and rendering a Charity by him intended effectual.*

№ 308. Private. *An Act for vesting the Real Estate late of* Elizabeth Doddington, *formerly of* Port Royal *in this Island, Widow, deceased, undisposed of by her Executors and Trustees, in the Church-wardens of* Port Royal, *and their Successors, for Performance of her Will.*

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An Act to eſtabliſh, confirm, and ſecure the Right and Title of the Honourable Edward Charlton, *Eſq; to three Parcels of Land in the Town of St.* Jago de la Vega, *in the Pariſh of St.* Catharine. N° 309. Expired.

An Act to continue Part of an Act, intituled, An Act for the better ſuppreſſing and reducing the rebellious and runaway Negroes, *paſſed in the Month of* March, *in the Year of our Lord One thouſand ſeven hundred and thirty, impowering ſuch Pariſhes as are omitted in the ſaid Act, to ſend Parties in like Manner and Proportion as the Pariſhes in the ſaid Act mentioned, to aſcertain the Pay of the ſaid Parties, and appointing other Commiſſioners; and for Payment of the ſeveral Votes of Credit, the Eaſe of the Inhabitants of* Carpenter's *Mountains, and other Purpoſes.* N° 310. Expired.

An Act for the further quieting Poſſeſſions, and regulating Reſurveys. N° 311.

WHEREAS nothing can tend more to encourage the Settling of this Iſland, than the quieting ſuch Perſons who are already ſettled, or ſhall hereafter ſettle in the ſame, in the Poſſeſſion of their Lands and Eſtates: And whereas the ſeveral Acts hitherto made for that Purpoſe have not proved effectual, and many expenſive and vexatious Suits at Law and Equity have been already, and hereafter may be commenced, by reaſon of the Incertainty of the Lines and Boundaries of Lands and Titles under Wills and other Conveyances: For Remedy whereof, and for quieting the People already ſettled, and to encourage others to become Planters and Settlers in this Iſland, we, your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of this your Majeſty's Iſland, do beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the firſt Day of *May*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty two, all and every Perſon and Perſons who hold any Lands, Tenements, Negroes, or Hereditaments by virtue of any Deed, Will, or Conveyance whatſoever, or of any Patent for which Quit-rent hath been paid for twenty Years at the leaſt, or from the Date of ſuch Patent, though the ſame, or any Aſſignment thereof, may have been loſt; or that hold by virtue of any Order, and have paid Quit-rent for the Time aforeſaid, and hath or have been in peaceable and quiet Poſſeſſion of any Lands, Tenements, Negroes, or other Hereditaments, for and during the Space of ſeven Years laſt paſt before the making of this Act, or ſhall continue in ſuch Poſſeſſion of the ſame for the Space of ſeven Years from and after the ſaid firſt Day of *May*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty two, or ſhall at any Time hereafter be and continue in ſuch Poſſeſſion for the Space of ſeven Years from their firſt poſſeſſing of the ſame, either by themſelves, or thoſe under whom they claim, ſhall have and enjoy ſuch Lands, Tenements, Negroes, or other Hereditaments, to them and their Heirs for ever, againſt his Majeſty and his Heirs, and all other Perſons whatſoever; and ſhall be at Liberty to give this Act in Evidence, or plead the ſame in bar in any Suit or Suits, Claim or Demand to be brought or made againſt him, her, or them, by his Majeſty or his Succeſſors, or any other Perſon whatſoever, the Right or Title of any prior Patentee, or any other Act, Law, Cuſtom, or Uſage to the contrary hereof notwithſtanding; the Right and Title of any Perſon under the Age of Twenty one Years, Woman under Coverture, and Perſons of unſound Memory, always excepted and foreprized.

Perſons to hold their Lands, &c. notwithſtanding their Patents be loſt.

II. PROVIDED ſuch Perſon under the Age of Twenty one Years, Woman under Coverture, or Perſon of unſound Memory, ſhall reſpectively bring their Actions for ſuch Eſtate, as aforeſaid, within three Years after ſuch Perſon under Age ſhall attain the Age of twenty one Years, or Woman under Coverture ſhall become ſole, or Perſons of unſound Memory, become *Compos mentis*. Proviſo.

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This Act not to give any Title to Perſons poſſeſſed of Lands deviſed to charitable Uſes, &c.

III. And provided nevertheleſs, That this Act, or any thing therein contained, ſhall not extend, or be deemed, held, taken, or conſtrued to extend, to confirm or give Title to any Perſon or Perſons ſeized or poſſeſſed of any Lands conveyed or deviſed to any charitable Uſe or Uſes, Mortgagee or Leſſee of any Lands, Tenements, Negro, or other Slaves, or Hereditaments, mortgaged or in Leaſe, or to any other Perſon or Perſons, to any Lands, Tenements, Negro, or other Slaves, or Hereditaments, by him, her, or them poſſeſſed, as Attorney or Guardian, or otherwiſe, in Right of another, or to any particular Uſe, Truſt, Courteſy, Dower, Eſtate for Years, or for Life or Entail, or to any Perſon or Perſons whatſoever claiming, or to claim by, from, or under any Mortgagee or Leſſee, or to any Attorney or Guardian, or other Perſon ſeized or poſſeſſed, to the Uſe of, or in Truſt for another, or under ſuch Tenants by the Courteſy in Dower, for Years, or for Life, but that the ſame remain and be, to all Intents and Purpoſes, as before the making of this Act; any thing herein contained to the contrary in any wiſe notwithſtanding.

Judges to determine the Lines proved to be the original Lines, the true Boundaries of the Land in Diſpute.

IV. And for the better aſcertaining the Bounds of all Lands which ſhall be hereafter diſputed, and for preventing the evil Practices of Surveyors, whereby ſo many vexatious and expenſive Suits may be commenced and ſupported, be it further enacted by the Authority aforeſaid, That whenever any Suit ſhall hereafter be brought for Lands, where the Boundaries ſhall be diſputed, the Judges before whom the ſame ſhall ariſe, ſhall adjudge the real run and marked Lines, which are proved before them to be real original run and marked Lines, or ſuch that have been deemed, reputed, or taken to be the marked Lines for the Space of ten Years laſt paſt, to be the true Boundaries of the Land in Diſpute; or where the real original run Lines cannot be proved, that they ſhall adjudge and determine by ſuch Lines as ſhall beſt anſwer the Courſe and Diſtance of the original Plat or Patent for ſuch Lands.

Proviſo.

V. Provided the ſame be made by any lawful Surveyor or Surveyors, duly ſworn to do Juſtice in that Behalf, and the Plat and Fieldwork thereof be annexed, ſigned, and atteſted by the ſaid Surveyor or Surveyors, and that the Record of ſuch Plat, that ſhall hereafter be made in Manner aforeſaid, and duly recorded in the Clerk of the Patents Office, ſhall be binding and concluſive to all Parties, and be ſufficient Evidence to determine the Right of the Poſſeſſor to all the Lands within the Lines of the ſaid Reſurvey Plat.

Surveyors not to run any Lines, but thoſe in Diſpute.

VI. And be it further enacted by the Authority aforeſaid, That no Surveyor ſhall or do preſume for the future to run or trace any Lines on any Writ of View, but the very Lines actually in Diſpute, under the Penalty of forfeiting Five hundred Pounds for every ſuch Offence; unleſs particularly directed by the Court from which ſuch Writ ſhall iſſue, who are hereby impowered and required to give ſuch Direction.

Surveyors Fees.

VII. And be it further enacted by the Authority aforeſaid, That in all Writs of View hereafter to be iſſued, a Surveyor ſhall receive Four Pence an Acre for ſurveying; and in all neceſſary Traverſes, Twenty Shillings for every Mile of eighty Chains, and ſo in Proportion for a greater or leſſer Number of Chains; and Eighteen Pence a Mile from the Town of St. *Jago de la Vega* to the Place every ſuch Writ of View ſhall be executed, for travelling Charges, Trouble, and Expences, and no more; under the Penalty of forfeiting One hundred Pounds for every Time he ſhall ask for, or take any more than is allowed by this Act.

To ſurvey for thoſe who firſt apply to them.

VIII. And be it enacted by the Authority aforeſaid, That every ſworn Surveyor, upon Application made to him by any Perſon to make any Reſurvey of Land, ſhall make an Entry in a Book to be kept by him for that Purpoſe; and ſhall not preſume, on Pretence of any general Application made to him by any Perſon, or otherwiſe than upon a particular Application to him for particular Runs (to the Truth of which the Surveyor ſhall make Oath, if required) to prefer any other Perſon whatſoever; but reſurvey for him that firſt applied to him, upon his paying, or tendering to pay for ſuch Reſurvey and Mile-money as herein before is directed, under the Penalty of Two hundred Pounds for every Neglect or Refuſal contrary to the Direction of this Act.

Perſons falling upon the Land of others, to pay for the ſame, not exceeding 40 *s. per* Acre.

IX. And in order to encourage new Settlers in this Iſland, and to quiet them and others in their Settlements, be it enacted by the Authority aforeſaid, That if any Perſon or Perſons that hath or have begun a Settlement, or that ſhall begin to make a new Settlement, ſhall by Miſtake happen to fall into or upon any elder or other Run of Land, and to plant or build upon it, he ſhall be liable to pay for it to the true Owner or Proprietor thereof, according to the Value of the ſaid Land, at the Time of the Treſpaſs to be committed, not exceeding the Sum of Forty Shillings *per* Acre, for ſo much thereof as he ſhall actually have ſo fallen and ſettled upon; the ſame to be valued and adjuſted by one neighbouring Juſtice of the Peace and two Freeholders upon Oath, who are hereby required and impowered to value the ſame accordingly, within ten Days after Requeſt made to them ſo to do, by either of the Parties claiming the ſame, under the Penalty of Twenty Pounds for every Neglect or Refuſal; and upon ſuch Valuation and Adjuſtment, and Payment of the ſaid Sum, the Proprietor thereof ſhall convey the ſame over to ſuch Perſon ſo ſettled upon the ſame; in Default thereof the ſaid Land ſhall be adjudged to belong to the ſaid new

new Settler, his Heirs and Aſſigns, and be confirmed to him or them, and deemed and taken to be Part and Parcel of his own Land for ever. 1731.

X. And be it enacted by the Authority aforeſaid, That if it ſhall happen that any Perſon, by Miſtake of Surveyors, or otherwiſe, hath ſettled, or ſhall hereafter ſettle upon any Land belonging to his Majeſty, his Heirs, or Succeſſors, and the ſame ſhall be afterwards found to be ſo; yet ſuch Perſon, that ſhall be ſo ſettled, ſhall be preferred to all or any other Perſon or Perſons, and intitled to a Patent for the ſame to him, her, or them, and his, her, or their Heirs, paying the uſual Fees only. Provided he, ſhe, or they apply for ſuch Patent, and pay the Quit-rents, uſually reſerved for ſuch Time as they have been poſſeſſed hereof, as aforeſaid; and until ſuch Patent ſhall paſs the Seal, ſuch Poſſeſſor, his, her, or their Heirs and Aſſigns, ſhall continue in quiet and peaceable Poſſeſſion of the ſaid Land. Settling upon any Land belonging to the Crown intitled to a Patent for the ſame.

XI. Provided always, That neither this Act, nor any thing in it contained, ſhall extend to bar or defeat the Right, Title, or Intereſt of any Perſon or Perſons who hath or have already commenced or brought his or their Action or Actions, Suit or Suits, that is or are now depending, or of any Perſon or Perſons who ſhall commence or bring his or their Action or Actions, Suit or Suits on or before the firſt Day of *May*, which will be in the Year of our Lord One thouſand ſeven hundred and thirty four, and ſhall proſecute the ſame to Effect. Proviſo.

XII. And be it further enacted by the Authority aforeſaid, That one Moiety of all Forfeitures and Penalties mentioned in this Act, and not directed how to be recovered or diſpoſed of, ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this his Majeſty's Iſland of *Jamaica*, and the contingent Charges thereof; and the other Moiety, or half Part, to the Informer, who ſhall ſue for the ſame; to be recovered by Bill, Plaint, or Information in any of his Majeſty's Courts of Record within this Iſland; wherein no Wager of Law, Eſſoin, Protection, Injunction, or *Noli proſequi* ſhall be allowed; any thing in this Act, or in any other Act or Law to the contrary in any wiſe notwithſtanding. Forfeitures how to be applied.

An Act for the better preſerving of the Records in the ſeveral publick Offices of this Iſland, ſupplying and remedying Defects in ſeveral former Laws, for preventing fraudulent Deeds and Conveyances, and recording old Wills in a prefixed Time. N° 312.

WHEREAS ſome Inconveniencies have already happened, through the Negligence and Misbehaviour of ſome Officers in the reſpective Offices of Record of this Iſland: For the Prevention of ſuch Inconveniencies for the future, and the razing, embeziling, or deſtroying of any the Records or Enrolments within this Iſland; we, your Majeſty's moſt dutiful and loyal Subjects, the Council, and Aſſembly of this your Majeſty's Iſland, do beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That if any Perſon whatſoever ſhall make, or cauſe to be made, any Razure, or falſe Entry, or ſhall raze out, embezil, or ſteal any Entry, or Book of Entry, wherein any Patent, Deed, Conveyance, Will, or Teſtament already is, or hereafter ſhall be entered or recorded in the ſaid Office of Enrolments, or Secretary's Office of this Iſland, or ſhall make, or cauſe to be made, any Razure, or falſe Entry, or ſhall raze, embezil, or ſteal any Record of a Judgement or Decree entered or recorded in any Book of Entry or Record in the Office of the Clerk of the Supreme Court of Judicature in this Iſland, or of the Clerk of the Patents, and Regiſter of the Court of Chancery in this Iſland; or ſhall raze, alter, or ſteal any Alphabet belonging, or which ſhall hereafter belong to any Book or Books of Record in the ſaid ſeveral Offices of this Iſland, or either of them; he or they ſo offending, ſhall be proceeded againſt, tried, and puniſhed in like Manner and Form, and be ſubject to the ſame Forfeitures and Penalties, as if the Fact had been committed in that Part of *Great Britain* called *England*. Penalty on Perſons erazing any Entry, &c.

II. And in order to prevent the Difficulty that attends the proving Titles to Eſtates, where the original Patents, Wills, or Deeds are or may be loſt or miſlaid, or the Witneſſes who atteſted the ſame are dead, or gone off this Iſland, or not to be found; be it enacted by the Authority aforeſaid, That the Records of any Letters Patent enrolled in the Secretary's Office, or Office of Enrolments in this Iſland; and the Record of any Deeds duly executed, and proved, or acknowledged, and enrolled in the ſaid Office, or any other Office of Record, according to the ſeveral Acts of the Governor, Council, and Aſſembly in that caſe made and provided; and the Record or Enrolment of any laſt Wills and Teſtaments, duly executed according to Law, and proved before the Governor, or Com- Records enrolled in the Secretary's Office, to be deemed ſufficient Evidence in all Courts of Law, &c.

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mander in Chief, by one or more of the ſubſcribing Witneſſes thereto ; ſhall at all Times hereafter he deemed, judged, and taken ſufficient Evidence of the ſeveral Perſons Titles to any Lands, Tenements, Negroes, Hereditaments, or Eſtate whatſoever, Real or Perſonal, claimed under the ſaid Patents, Deeds, Conveyances, or Wills ; and the ſame ſhall be read and allowed in all and every Court or Courts of Law or Equity within this Iſland, as if the original Patents, Deeds, Conveyances, or Wills were actually produced, proved, and read in all and every the ſaid Courts.

The Exemplification of Wills made in *Great Britain* or *Ireland*, &c. after Probate thereof made, to be good Evidence.

III. AND be it further enacted by the Authority aforeſaid, That the Exemplification of all Wills made in *Great Britain* or *Ireland*, or any other of his Majeſty's Colonies or Dominions, and ſent over to this Iſland, atteſted as ſuch (after Probate thereof made according to Law in the ſaid ſeveral Dominions and Colonies reſpectively) under the Seal of the Prerogative Court of *Canterbury*, or under the Seal of the Archbiſhop or Lord Mayor of *Dublin* ; or any other Archbiſhops in their reſpective Dioceſes in *England* or *Ireland* ; or the Mayor, Provoſts, or Bailiffs of any other Corporation or Body Politick ; or under the Seal of any of the ſaid Dominions or Colonies reſpectively, and afterwards recorded or enrolled in this Iſland, ſhall be good and ſufficient Evidence (and read and allowed as ſuch) of the Title of the Party or Parties claiming or to claim any Lands, Tenements, Hereditaments, or Eſtate whatſoever under ſuch Wills or Teſtaments ſo exemplified reſpectively, in all and every the Court or Courts of Law or Equity within this Iſland ; any thing in this, or in any other Act or Law to the contrary in any wiſe notwithſtanding.

How Regiſter of Deeds may be good, though regiſter'd out of Form.

IV. AND whereas by an Act, intituled, *An Act for regiſtering Deeds and Patents*, it is (amongſt other things) therein enacted, That if any Vendee of any Lands, Tenements, or Hereditaments, hath omitted to execute and enroll his Deed within the Time, and purſuant to the Form preſcribed by the ſaid Law, but ſhould at any Time afterwards have done the ſame, no ſecond Sale being made by the firſt Vendor, his Heirs or Executors, the ſame ſhould nevertheleſs be good to the ſaid Vendee, his Heirs and Executors, and a perpetual Bar againſt the firſt Vendor and his Heirs ; any thing in that Act, or any other to the contrary notwithſtanding.

V. AND whereas, through the Omiſſion of the Words (*or ſhall hereafter omit*) ſeveral Diſputes have ariſen, and honeſt Purchaſers have been defrauded, by reaſon of ſome Neglects or Omiſſions in the Form and Proofs on Deeds, and recording the ſame within the prefixed Times therein mentioned.

VI. AND whereas it is alſo therein further enacted, That all Deeds and Conveyances, granted and made out of this Iſland, and remitted hither, being proved before the Governor, or any of the Judges of the Courts of Common Pleas, and all thoſe Deeds and Conveyances where any Grantor or Conveyancer ſhould perſonally appear in his Majeſty's Court, held before the Lord Mayor and Aldermen of the City of *London* for the time being, and ſhould then and there own and acknowledge ſuch Deed, Grant, or Conveyance, to be his Act and Deed, and an Atteſt thereof be made under the Seal of the Mayoralty of the ſaid City, and the ſame be recorded in the aforeſaid Office (meaning the Office of Enrolments of this Iſland) within ſix Months of the Arrival of the Ship that brought the ſame, ſhould, to all Intents and Purpoſes whatſoever, be as valid, as if the ſaid Deed or Conveyance had been here made, acknowledged, proved, and recorded according to the Form and Time herein before appointed.

VII. AND whereas the ſaid two Clauſes before recited have occaſioned ſeveral Diſputes, and the latter may occaſion and induce further Frauds, no Time being prefixed for the enrolling of Deeds made out of this Iſland, other than as aforeſaid, to the Prejudice of the juſt Purchaſers and Creditors, who may have paid or lent their Money, not knowing that the Lands conveyed or charged to them may before have been conveyed or charged to ſome other Perſon or Perſons, and kept dormant : For the Prevention whereof for the future, and remedying the before mentioned and other Inconveniencies, be it further enacted by the Authority aforeſaid, That all and every Deed or Deeds heretofore made of any Lands, Tenements, Negroes, or Hereditaments whatſoever in this Iſland, and that has or have been duly proved or acknowledged before the Governor, or Commander in Chief, or ſome Judge or Judges of the Grand Court, or any other Court of Record in this Iſland, ſuch Deed and Deeds ſhall be, and they are hereby enacted, declared, and adjudged to be good and valid in the Law to paſs and convey a juſt Title for all ſuch Lands, Tenements, Negroes, and Hereditaments to all and every Purchaſer and Purchaſers, Grantee and Grantees, where no ſecond Sale ſhall appear to be or have been proved and recorded, as before directed by the ſaid Law ; any thing in this, or any other Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Deeds heretofore made, that have been duly proved, adjudged valid in Law.

Deeds tobe recorded within 90 Days, otherwiſe void, againſt other Purchaſers.

VIII. AND be it further enacted by the Authority aforeſaid, That all and every Deed or Deeds which ſhall be made or executed within this Iſland from and after the firſt Day of *May*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty two, for any Lands, Tenements, Negroes, or Hereditaments whatſoever, ſhall be duly proved, or acknowledged, and recorded within ninety Days after the Date or Dates of ſuch

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ſuch Deed or Deeds, otherwiſe to ſtand void and of no Effect againſt all other Purchaſers or Mortgagees, *bona fide*, for valuable Conſideration of the ſaid Lands, Tenements, Negroes, or Hereditaments, who ſhall duly prove and record their Deeds within the Time preſcribed by this Act, from the Dates of their reſpective Deeds.

Proviſo.

IX. PROVIDED always nevertheleſs, and it is hereby enacted by the Authority aforeſaid, That if any Vendee or Mortgagee of any Lands, Tenements, Negroes, or Hereditaments, ſhall hereafter omit to prove and record his Deed within the Time, and purſuant to the Form preſcribed by this Act, but ſhall at any Time afterwards do the ſame, no ſecond Sale or Mortgage being made by the firſt Vendor or Mortgager, his Heirs or Aſſigns, the ſame ſhall nevertheleſs be good to the ſaid Vendee or Mortgagee, his Heirs or Executors, and a perpetual Bar againſt the firſt Vendor or Mortgager, and his Heirs; any thing in this Act, or any other to the contrary notwithſtanding.

Deeds made out of the Iſland, to be enrolled within ſix Months, &c.

X. AND be it further enacted by the Authority aforeſaid, That all Deeds and Conveyances made and executed out of this Iſland, for any Lands, Tenements, Negroes, or Hereditaments within this Iſland, from the firſt Day of *May* which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty two, ſhall be duly proved, or acknowledged and recorded, or enrolled in the Office of Enrolments of this Iſland, within ſix Kalendar Months after the Dates of ſuch Deeds or Conveyances, and within ninety Days after the Arrival of the Ship which brought the ſame, otherwiſe to ſtand void, with reſpect to other Purchaſers or Mortgagees, *bona fide*, for valuable Conſideration, as aforeſaid; but ſtill to preſerve and maintain a Right and Title againſt the Vendor or Mortgager, and his or their Heirs, in caſe the firſt Vendee or Mortgagee ſhall at any time duly prove and record his or their Deeds or Conveyances; no ſecond, or other Deed or Conveyance being in the mean time proved, or acknowledged, and recorded, or enrolled, in Favour of any other Preſon or Perſons, as aforeſaid; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Perſons making a ſecond Deed without mentioning the firſt.

XI. AND in order to diſcourage and deter all and every Perſon and Perſons from making any fraudulent Conveyances or Mortgages, be it further enacted by the Authority aforeſaid, That if any Vendor or Mortgager of Lands, Tenements, Negroes, or Hereditaments within this Iſland, ſhall preſume to execute a ſecond, or other Deed of Conveyance or Sale of the ſame Lands, Tenements, Negroes, or Hereditaments, other than to the firſt Vendee of ſuch Lands, Tenements, Negroes, or Hereditaments, or a ſecond or other Deed of Mortgage, without having taken Notice in the ſaid Deed of Mortgage of the firſt or prior Mortgage or Mortgages, with which the ſaid Lands, Tenements, Negroes, or Hereditaments ſtand charged at the Time of executing the ſaid Deed; all and every Perſon and Perſons ſo offending, ſhall be tried and puniſhed, and ſubject to the like Forfeitures and Penalties, as by the Laws of that Part of *Great Britain* called *England* is provided againſt all ſuch Perſons as ſhall execute Deeds of Mortgage without taking Notice of all prior Mortgages made.

Secretary to record all Wills unrecorded.

XII. AND whereas there is now remaining in the Secretary's Office of this Iſland a great Number of original Wills that are not recorded, under which many Perſons are intitled to Eſtates; and for want of ſuch Wills being recorded, many Diſputes and Inconveniencies may happen: For Prevention whereof, be it enacted by the Authority aforeſaid, That the Secretary of this Iſland do, and he is hereby obliged, on or before the firſt Day of *November* next, to record, or cauſe to be recorded, all and every original Will and Wills, now unrecorded, which were in his Office before the Year of our Lord One thouſand ſeven hundred and twenty, in a fair well bound Book to be kept for that Purpoſe; for which he ſhall be paid by the Receiver General out of any Fund or Funds raiſed, or to be raiſed, for each Will according to the Rates now allowed for recording of other Deeds or Wills.

A Copy of this Act to be ſent to the Chief Juſtice of the Iſland, &c.

XIII. AND be it enacted by the Authority aforeſaid, That Copies of this Act, and alſo of one other Act paſſed this Seſſions, intitled, *An Act for the further quieting Poſſeſſions, and regulating Reſurveys*, be ſent, as ſoon as conveniently may be, by the Secretary, to the Chief Juſtice of this Iſland, to be read every Grand Court for two Years next enſuing; and alſo one to every *Cuſtos* in this Iſland, to be read in every Quarter-ſeſſions of the Peace to be held in this Iſland, for the Space of Two Years from the paſſing thereof; and the ſaid Chief Juſtice and *Cuſtos's* reſpectively, are hereby required to order the ſame to be read, as aforeſaid, under the Penalty of Fifty Pounds each, for every Neglect or Refuſal; to be recovered by Bill, Plaint, or Information in the Supreme Court of Judicature of this Iſland; wherein no Eſſoin, Protection, Injunction, or *Noli proſequi* ſhall be granted or allowed; the one Moiety thereof to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or him or them who ſhall ſue for the ſame; any thing in this Act, or in any other to the contrary notwithſtanding.

Secretary's Fee.

XIV. AND be it further enacted by the Authority aforeſaid, That for each of the ſaid Copies by the Secretary ſo to be made out and ſent, as aforeſaid, he ſhall be paid by the Receiver General, out of any Money in his Hands, the Sum of Twenty Shillings, which ſhall be allowed the Receiver General in his Accounts; any thing to the contrary notwithſtanding.

An

1731.
№° 313. Expired. *An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes, to impower the Receiver General to take up Money at Intereſt, and appoint a Committee to ſettle the publick Accounts, during the Continuance of this Act.*

№° 314. Expired. *An Act for raiſing of ſeveral Parties, to reduce the rebellious Negroes in the North-eaſt Part of this Iſland.*

№° 315. Expired. *An Act to prevent the Abuſes committed by entertaining, concealing, or carrying off any of his Majeſty's Soldiers, any white Men or Women, Servants or Slaves, belonging to any of the Inhabitants of this Iſland, without Tickets; and for the better regulating Servants, and deciding Differences between Maſters and Servants.*

№° 316. Expired. *An Act to repeal ſuch Part of an Act, intituled,* An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes, to impower the Receiver General to take up Money at Intereſt, and appoint a Committee to ſettle the publick Accounts, during the Continuance of this Act, *as impoſes a Duty on the Importation of Convicts into this Iſland, and directs the Payment, Collection, or Recovery thereof.*

№° 317. Expired. *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and for laying a Duty upon Shipping, and applying the ſame to ſeveral Uſes.*

№° 318. Expired. *An Act for paying the Officers and Soldiers who ſhall engage in the Country's Service, and go in Purſuit of the rebellious and runaway Slaves; and other Purpoſes.*

№° 319. Expired. *An Act for appointing an Agent or Agents in* Great Britain, *to ſolicite the paſſing of Laws, and other the publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.*

An

An Act for continuing Part of two ſeveral Acts, viz. *ſuch Part of an Act, intituled,* An Act for the better ſuppreſſing and reducing the rebellious and runaway Negroes, *paſſed in the Month of* March, *in the Year of our Lord One thouſand ſeven hundred and thirty, and which was continued by one other Act, intituled,* An Act to continue Part of an Act, intituled, *An Act for the better ſuppreſſing and reducing the rebellious and runaway Negroes; and impowering ſuch Pariſhes as are omitted in the ſaid Act, to ſend Parties in like Manner and Proportion as the Pariſhes in the ſaid Act mentioned; to aſcertain the Pay of the ſaid Parties, and appointing other Commiſſioners; and for Payment of the ſeveral Votes of Credit, the Eaſe of the Inhabitants of* Carpenter's *Mountains, and other Purpoſes, paſſed in* July, *One thouſand ſeven hundred and thirty one; and for continuing ſuch Parts of the ſaid laſt mentioned Act, as in any wiſe relates to the fitting out and Payment of Parties, or the appointing of Commiſſioners for that Purpoſe.*

1732. N° 320. Expired.

An Act for keeping a Nightly Watch in the Town of Kingſton, *and for the Prevention of Damages that may ariſe by Fire.* N° 321.

WHEREAS the Town of *Kingſton* is of very great Importance, as it is become the chief Seat of Trade, and conſequently the general Mart or Ware-houſe for Proviſions, and all Kinds of Materials neceſſary for the Support and Defence of this Iſland: And whereas there have been of late frequent Burglaries and Robberies committed in the ſaid Town; for preventing of which for the future, and for Security of the ſaid Town, we, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted, and it is hereby enacted and ordained by the Authority of the ſame, That one or more Watch or Watches ſhall be kept in the ſaid Town of *Kingſton* every Night, at ſuch Places, and in ſuch Manner and Number, as the Juſtices and Veſtry of the Pariſh of *Kingſton* for the time being ſhall direct and appoint.

A Nightly Watch to be kept in *Kingſton* Pariſh.

II. And for the better upholding the ſaid Watch, and Encouragement of the Watchmen carefully to do their Duty, be it enacted by the Authority aforeſaid, That the ſaid Juſtices and Veſtry may, and they are hereby impowered and required to lay a juſt and equal Tax, as well on the tranſient trading Men of the ſaid Town, as on the Inhabitants thereof, once every Year, not exceeding the Sum of Five hundred Pounds; which ſaid Tax ſhall commence from the firſt Day of *June* next, and be collected and levied in the ſame Manner as the Pariſh Tax is, and paid into the Hands of the Church-wardens for the time being; to be applied to the Payment of ſuch Conſtables, and ſuch other Perſons, as the ſaid Juſtices and Veſtry ſhall think proper to employ as a Nightly Watch in the ſaid Town.

Juſtices and Veſtry may lay a Tax on the Inhabitants, *&c.* for defraying the Charge

III. And in order to prevent any Conſtable's refuſing to do his or their Duty, or to take Charge of the Watch, it is hereby enacted by the Authority aforeſaid, That each and every Conſtable in the ſaid Town ſhall, in their Turns, take Charge of the ſaid Watch, as they ſhall be directed by the Juſtices, or the major Part of them, and ſhall receive, as a Gratuity for their Trouble, the Sum of five Shillings each Night he or they ſhall ſo watch; which ſaid five Shillings each Night ſhall be paid to them by the Church-wardens of the ſame Pariſh for the time being: But in caſe any Conſtable ſo appointed ſhall refuſe to take Charge of the Watch, and do his Duty, as directed by the Juſtices, or major Part of them.

Conſtable to be paid 5 *s.* every Night

Penalty on his neglect of Duty.

1732.

them, he or they ſhall forfeit for every Neglect or Refuſal the Sum of Ten Pounds, current Money of this Iſland.

No Cooper to make Casks in the Streets, &c. but in a Square to be kept for that Purpoſe.

IV. AND whereas a great Part of the Houſes and Store-houſes in the ſaid Town are built of Timber and Boards, whereby the ſaid Town is liable to take Fire: And whereas there are great Numbers of Coopers Shops in the ſaid Town, the Owners whereof do not take proper Care in the uſing of Fire for burning of Cask, from whence ill Conſequences may enſue: For Remedy whereof, and preventing any Accidents that may ariſe from Fire, be it enacted by the Authority aforeſaid, That from and after the firſt Day of *Auguſt* next, no Cooper, or Perſon raiſing or making Cask, ſhall ſuffer any Fire to be made in his Yard, or any other Part of the Town, where he or his Servants or Slaves ſhall work, but in a Square, to be built of Brick by every ſuch Cooper, or Perſon ſo raiſing or making Cask of eight Foot high, with one door, and that to the Weſtward of every ſuch Building, under the Penalty of Ten Pounds for every Week he ſhall delay or neglect to raiſe ſuch an Incloſure, and for every Time he ſhall ſuffer any ſuch Fire to be made in his Yard, or any other Part of the Town, where he or his Servants or Slaves ſhall work, as aforeſaid, out of ſuch Square, as aforeſaid, after the ſaid firſt Day of *Auguſt* next.

200 *l.* to be raiſed for digging 3 Wells, for a Supply of Water in caſe of Fire.

V. AND as a ſufficient Supply of Water will be neceſſary in caſe of an Accident of Fire, be it enacted by the Authority aforeſaid, That a Sum, not exceeding Two hundred Pounds, current Money of this Iſland, ſhall be raiſed by the Juſtices and Veſtry of the ſaid Town in Manner aforeſaid, for the making of three Wells, and fixing Pumps on each of them, in ſuch convenient Places, as the Juſtices and Veſtry ſhall think proper.

All Negro Huts to be pulled down.

VI. AND whereas there are great Numbers of Negro Huts and Hovels in the Front of the ſaid Town, towards the Sea, which renders it very liable to be ſet on Fire; be it enacted by the Authority aforeſaid, That from and after the firſt Day of *November* next, the Juſtices are hereby impowered and required to grant their Warrants to the Conſtables of the ſaid Town, for razing and pulling down all ſuch Huts and Hovels; and the ſaid Conſtables are hereby commanded and required immediately to put in Execution all ſuch Warrants ſo directed to them.

Penalty for erecting Huts.

VII. AND be it further enacted by the Authority aforeſaid, That whoever ſhall erect, or ſuffer to be erected hereafter, any ſuch Huts or Hovels in the Front of the ſaid Town, towards the Sea, ſhall forfeit the Sum of Ten Pounds for every ſuch Offence.

Diſpoſition of Forfeitures.

VIII. AND be it further enacted by the Authority aforeſaid, That one Moiety of all Forfeitures and Penalties mentioned in this Act, and not directed how to be recovered or diſpoſed of, ſhall be for the Support of the Poor of the Pariſh; and the other Moiety to the Informer, who ſhall ſue for the ſame; to be recovered by Action of Debt, or Information in the Court of Common Pleas in the ſaid Town, wherein no Wager of Law, Eſſoin, Protection, Injunction, or *Noli proſequi* ſhall be allowed; any thing in this Act, or in any other Act or Law to the contrary in any wiſe notwithſtanding.

№ 322. Expired. *An Act for the better ſettling the Eaſt and North-eaſt Parts of this Iſland; explaining ſome Clauſes in ſeveral Acts relating thereto; and for making Satisfaction to* John Lawrence, *Eſq; for a Negro loſt in the Country's Service.*

№ 323. Expired. *An Act to prevent the landing or keeping of Negroes infected with the Small Pox in any of the three Towns of St.* Catharine, Port Royal, *and* Kingſton.

№ 324. Private. *An Act to enable Truſtees to ſell and diſpoſe of ſeveral Pieces and Parcels of Land in the Pariſh of* Weſtmoreland, *and other Pariſhes in this Iſland, late the Eſtate of* Thomas Tomlin, *Planter, deceaſed; and to apply the Monies ariſing thereby, towards Payment and Satisfaction of a Mortgage given by him in his Life Time of a Plantation or Sugar Work in the ſaid Pariſh of* Weſtmoreland, *with the Slaves, Cattle, and Stock thereon, in order to preſerve the ſame from Sale, and improve it for the ſaid* Tomlin's *Heir, a Minor of tender Years.*

An Act for the Manumiſſion of the Wife and Children of a free Negro Man, Sambo, *and of other Negroes; and for recompencing their reſpective Owners.*

1733.
N° 325.
Private.

An Act to intitle John Golding, *ſenior, of the Pariſh of* Vere, *Planter, and his Family, to the Rights and Privileges of* Engliſhmen, *born of white Anceſtors.*

N° 326.
Private.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

N° 327.
Expired.

An Act to ſecure the Freedom of Elections, and directing the Proceedings in the Choice of Members to ſerve in Aſſemblies in this Iſland; to qualify Perſons elected to ſerve in future Aſſemblies in this Iſland; and to aſcertain who ſhall be deemed Mulattoes for the future.

N° 329.

WHEREAS of late great Abuſes, and many indirect Practices have been made uſe of, as well by Candidates as Electors, in the Elections of Members to ſerve in the Aſſemblies in this Iſland: For preventing the ſame for the future, be it enacted by the Governor, Council, and Aſſembly of this his Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That when any Aſſembly ſhall be hereafter ſummoned or called, there ſhall be Forty Days between the Teſte and Return of the Writs of Summons; and that the Provoſt-marſhal, or his lawful Deputy or Deputies for the time being, with as much convenient Speed as may be, ſhall tranſmit Warrants to the *Cuſtos Rotulorum*, and in his Abſence, to ſome Juſtice of the Peace reſiding in ſuch Pariſh, directed to the Conſtables, to warn the reſpective Freeholders inhabiting in ſuch Pariſh, to appear at the Election of Repreſentatives; and that the *Cuſtos Rotulorum*, or Juſtice, receiving and ſigning ſuch Warrants as aforeſaid, ſhall cauſe them to be delivered to the ſaid Conſtables, ſo that they may be enabled to give each of the ſaid Freeholders Five Days Notice at the leaſt, of the Time and Place of the Election for ſuch Pariſh.

Five Days Notice to be given to Freeholders, of the Time and Place of any Election.

II. AND foraſmuch as many Inconveniences have been found by electing Members for Two or more Pariſhes upon one and the ſame Day: For the remedying thereof, be it further enacted by the Authority aforeſaid, That hereafter a ſeparate Day ſhall be appointed in every of the ſaid Writs of Summons for the Election of Members in each Pariſh of this Iſland, and that no Two or more Pariſhes ſhall elect upon one and the ſame Day; and in caſe any of the ſaid Writs of Summons ſhall not be executed upon the Day thereby appointed, no new or other Writ or Writs ſhall iſſue for electing any Member or Members to ſerve for ſuch Pariſh, until after the Meeting of ſuch Aſſembly.

Two Pariſhes not to elect on the ſame Day.

III. AND be it further enacted by the Authority aforeſaid, That every Freeholder, before he is admitted to poll at ſuch Election, ſhall, if required by the Candidates, or any for them, firſt take an Oath in the Words following:

I A. B. *do ſwear, That I am a Freeholder, in my own or my Wife's Right, in Law or Equity, really and truly, in the Pariſh* *by Title proved or* *acknowledged, and recorded in the Office of Enrolments Three Months at the leaſt; and that my ſaid Freehold conſiſts of a Tenement of the real Value of Ten Pounds* per Annum, *or a Pen, with Six Head of Cattle, of the like or equal Value, or a Plantation, with Five Acres at the leaſt, planted; and that my ſaid Freehold is ſituate, lying, and being at* *and is butted and bounded* *and was patented in the Name of*

Freeholder's Oath.

1733. *of and that it hath not been given or granted to me fraudulently, or on purpose to qualify me to give my Vote at this Election; and that I have not before been polled, or given my Vote at this Election.*

Proviſo. IV. PROVIDED always, That if any the Freeholders be a profeſſed *Quaker*, his Affirmation inſtead of the ſaid Oath ſhall be received, ſuch *Quaker* having firſt likewiſe taken the Affirmation appointed by an Act of Parliament in the firſt Year of his late Majeſty's Reign in *Great Britain*, intituled, *An Act for making perpetual an Act of the ſeventh and eighth Years of his late Majeſty King* William *the Third*, intituled, *An Act that the ſolemn Affirmation and Declaration of the People called* Quakers *ſhall be accepted, inſtead of an Oath in the uſual Form; and for explaining and enforcing the ſaid Act, in relation to the Payment of Tythes and Church Rates; and for appointing the Form of an Affirmation to be taken by the ſaid People called* Quakers, *inſtead of the Oath of Abjuration.*

Time of keeping open the Poll. V. AND in regard of the great Diſtance of the Reſidence of many of the Freeholders from the uſual Places of Election in the ſeveral Pariſhes of this Iſland; and that none of them, if able and willing, be prevented to give their Voices for Election of their Repreſentatives; be it enacted by the Authority aforeſaid, That the Poll of each Pariſh be kept open until Five of the Clock in the Afternoon of the Day of ſuch Election, and no longer, if the Candidates deſire the ſame; but that no Adjournment ſhall intervene, upon any Pretence whatſoever, till the Poll is cloſed, which ſhall begin between the Hours of Nine and Twelve in the Morning.

Penalty on *Cuſtos*, &c. not performing his Duty; VI. AND be it further enacted by the Authority aforeſaid, That if any *Cuſtos Rotulorum*, Juſtice of the Peace, or Provoſt-marſhal, or any his Deputies whatſoever, concerned in the Execution of the ſaid Writs of Summons, or other the Matters aforeſaid, ſhall neglect to do his or their Duty in the Premiſſes, then every ſuch *Cuſtos Rotulorum*, Juſtice of the Peace, or Provoſt-marſhal, or his Deputy, ſo neglecting his Duty, ſhall for every Offence forfeit the Sum of Two Hundred Pounds current Money of this Iſland.

and on Conſtables. VII. AND every Conſtable, or other Perſon or Perſons ſo neglecting his or their Duty in the ſaid Premiſſes, ſhall forfeit the Sum of Twenty Pounds like current Money of this Iſland; one Half of which ſaid Forfeitures ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Party aggrieved; to be recovered in his Majeſty's Supreme Court of Judicature in this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Wager of Law, Privilege, or Imparlance ſhall be allowed; any Law, Statute, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Freeholders not to be ſent out on Parties on Election Days. VIII. AND whereas ſeveral indirect Practices have been made uſe of to prevent ſeveral Perſons giving in their Votes, either by keeping them in Arms on the Day of the ſaid Election, or ſending the Freeholders out on Parties; be it further enacted by the Authority aforeſaid, That no Regiment, or any Company or Troop of any Pariſh or Precinct where any Election is to be, ſhall be in Arms on the Day of ſuch Election; and that immediately after Notice of any Aſſembly ſo to be convened as aforeſaid, no Perſon that is a Freeholder ſhall be ſent or forced out on any Party, till ſuch Election ſhall be over, except in the caſe of an Invaſion, actual Inſurrection, or Rebellion; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding, under the Penalty of One Hundred Pounds current Money of this Iſland; to be recovered in any Court of Record againſt any Perſon offending contrary to the true Intent and Meaning of this Act; one Half whereof ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Informer, or to him or them that ſhall inform or ſue for the ſame, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* entered; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

IX. AND be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of ſitting in any future Aſſembly of this Iſland, who ſhall not take the following Oath; *viz.*

Member's Oath. I A. B. *do ſwear, That I truly, and* bona fide, *have an Eſtate in my own or my Wife's Right, in Law or Equity, of or in Lands, Tenements, Negroes, or other Hereditaments, over and above what is ſufficient to pay all my juſt and proper Debts, of the Value of Three Hundred Pounds* per Annum, *or Three thouſand Pounds in Groſs.*

Which Oath ſhall be taken and adminiſtred at the ſame Time, and in the ſame Manner, that the Oaths of Allegiance and Supremacy are to be taken by, and adminiſtred to the ſeveral Members; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

X. AND

X. AND for the better aſcertaining who ſhall be deemed Mulattoes within the Intent and Meaning of this Act, be it further enacted by the Authority aforeſaid, That no Perſon who is not above Three Degrees removed in a lineal Deſcent from the Negro Anceſtor excluſive, ſhall be allowed to vote or poll in Elections; and no one ſhall be deemed a Mulatto after the Third Generation, as aforeſaid, but that they ſhall have all the Privileges and Immunities of his Majeſty's white Subjects of this Iſland, provided they are brought up in the Chriſtian Religion. 1733. Who to be deemed Mulattoes.

An Act for the ſpeedy fitting out of a Party or Partics, to ſuppreſs the rebellious and runaway Slaves in the North-eaſt Part of this Iſland. № 329. Expired.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes, for ſubſiſting the Officers and Soldiers of the Two Independent Companies, preventing the Exportation of ſeveral Commodities into the French *and* Spaniſh *Iſlands, and ſubjecting the Party-men to the Rules and Articles of War in Force in this Iſland in the Time of the laſt Martial Law.* № 330. Expired.

An Act for the Eaſe of the Inhabitants of the Pariſh of St. James. № 331. Repealed.

An Act for the more ſpeedy and effectual collecting the publick and parochial out-ſtanding Debts. № 332. Expired.

An Act for ſecuring and collecting his Majeſty's Quit-rents, Fines, Forfeitures, and Amerciaments; and for regulating the Manner of Eſcheats; and for ſecuring the Poſſeſſors of Lands already forfeited and ſettled, and further Diſcovery of ſuch forfeited Lands, and encouraging the ſettling thereof. № 333.

WHEREAS the Methods hitherto taken for collecting of your Majeſty's Quit-rents have proved ineffectual, many Perſons having found Means to evade or delay Payment of the ſame, to the great Prejudice of your Majeſty's Revenue, and in Violation of the Patents granted by your Majeſty, and your Royal Predeceſſors: For the Prevention of ſuch Practices for the future, and the Eaſe of the Inhabitants of this Iſland of ſome Part of the heavy Taxes they at preſent labour under, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of the Iſland of *Jamaica*, therefore moſt humbly beſeech your moſt Excellent Majeſty that it may be enacted, and it is hereby enacted and ordained by the Authority of the ſame, That all Owners of Land within this Iſland, their Guardians, Agents, or Attornies, ſhall repair to the Town of St. *Jago de la Vega*, or *Kingſton*, on or before the Twenty fifth Day of *March* next, and then and there account with the Receiver General, or his Deputy, for all ſuch Sum or Sums of Money as are or ſhall be due and payable for their Quit-rents, and pay the ſame; or, if exceeding Twenty Pounds, give Bond, and ſufficient Security to pay the ſame in Six Months after the making up of ſuch Accounts, with Intereſt at and after the Rate of Twelve Pounds *per Centum per Annum*; and all Perſons neglecting or refuſing to account with the Receiver General, or his Deputy, in the Manner aforeſaid, ſhall be chargeable and anſwerable for the ſame, with Intereſt at and after the Rate of Twelve Pounds *per Centum per Annum*, to commence from the paſſing of this Act; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Owners of Land, &c. to repair to St. *Jago de la Vega*, and there account with Receiver General for their Quit-rents due, &c.

II. AND be it enacted and ordained by the Authority aforeſaid, That all Owners or Proprietors of Land within this Iſland, their Guardians, Agents, or Attornies, who for the future ſhall neglect or refuſe to account with the Receiver General, or his Deputy, for Clauſe againſt Perſons neglecting to do, &c. within every 3 Years, &c.

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for their reſpective Quit-rents, to accrue and become due after the paſſing of this Act, within every Three Years, and pay the ſame; or, if exceeding the Sum of Twenty Pounds, give Bond to pay the ſame within Six Months after; every ſuch Owner or Proprietor ſhall be chargeable and anſwerable for the ſame, with Intereſt at and after the Rate of Twelve Pounds *per Centum per Annum*, to commence from the Time of the laſt Payment; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Recital of a former Quit-rent Act.

III. AND whereas in and by an Act, intituled, *An Act for aſcertaining, eſtabliſhing, and more ſpeedy collecting her Majeſty's Quit-rents*, it is therein enacted and ordained (amongſt other Things) That all Perſons that did not inhabit and reſide within this Iſland, and were poſſeſſed and held any Land or Lands within the ſame, and had not Effects whereon her Majeſty might diſtrain for the Quit-rents due for the ſame in this Iſland, every ſuch Perſon or Perſons were thereby required and obliged, by themſelves, Agent, or Attorney, within Eighteen Months after the Firſt Day of *February*, in the Year of our Lord One thouſand ſeven hundred and three, to account with the Receiver General for the time being, or his Deputy, and pay all ſuch Sum or Sums of Money as ſhould be found due to her then Majeſty for Quit-rents, ſince the Feaſt of St. *Michael* the Archangel, in the Year One thouſand ſix hundred and ninety two, under the Penalty of forfeiting the ſaid Land or Lands; and in caſe at the Expiration of the ſaid Term of Eighteen Months, after the ſaid Firſt Day of *February*, in the ſaid Year One thouſand ſeven hundred and three, the ſaid Owner or Poſſeſſor did not, by himſelf, Agent, Attorney, or other Perſon, account and pay, as by that Act was required, that then the Provoſt-marſhal General of this Iſland, or his Deputy, were thereby authorized and required to make Proclamation of the ſame in the Supreme Court of Judicature, held at the Town of St. *Jago de la Vega*, the two next Courts after ſuch Failure and Forfeiture, and Judgement ſhould be affirmed to her Majeſty, her Heirs, and Succeſſors, and the Provoſt-marſhal, or his Deputy, was thereby required and impowered to ſeize the ſame accordingly; and from thenceforth the ſaid Land or Lands, as aforeſaid, were to be veſted in our late Sovereign Lady the Queen, her Heirs, and Succeſſors and were to be a perpetual Bar againſt any former Patent, Grant, or Claim whatſoever; and that then it ſhould and might be lawful for the Governor, or Commander in chief of this Iſland for the time being, by Letters Patent under the Broad Seal of this Iſland, to grant the ſaid forfeited Land or Lands to any Perſon or Perſons whatſoever; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

IV. AND whereas ſeveral Difficulties have ariſen touching the Time of making Proclamations againſt the Lands, or Perſons forfeiting ſuch Lands, in regard the ſame is directed to be made the two next Courts after ſuch Failure and Forfeiture by the ſaid two above recited Clauſes, and through the Neglect of the Provoſt-marſhals the ſame have not been done; and ſome Perſons who have obtained Grants of ſuch forfeited Lands, Proclamations not having been made the two next enſuing Courts after the Forfeiture accrued, are and remain in Doubt of their Title: For the preventing of all ſuch Inconveniencies, and to encourage the further ſettling of this Iſland, be it further enacted by the Authority aforeſaid, That all and every Grant and Grants already paſſed of ſuch forfeited Lands, againſt which Proclamations have been made, and Judgements thereon affirmed, are, and are hereby made good and effectual, to all Intents and Purpoſes, as fully as if Proclamations had been made and done the two next enſuing Courts after the ſaid Firſt Day of *February*, which was in the Year of our Lord One thouſand ſeven hundred and three.

All Grants of ſuch forfeited Lands, againſt which Proclamations have been made, &c. made good.

V. AND the more effectually to diſcover all ſuch forfeited Lands for the future, and in order to encourage the ſettling of the ſame, be it further enacted by the Authority aforeſaid, That any Perſon or Perſons who ſhall hereafter diſcover to the Governor, his Majeſty's Attorney General, or the Provoſt-marſhal General for the time being, any Tract or Tracts of ſuch Lands of Abſentees as aforeſaid, for which Quit-rents have not as yet been paid; and ſuch Perſon or Perſons ſhall offer to pay, and actually pay the ſame, and give in Security in the Receiver General's Office to ſettle the ſaid Lands ſo intended to be granted, by falling and planting yearly ſome Part thereof, and that at leaſt Five Acres of Ground yearly, during the Space of Three Years, and putting and keeping thereon a ſufficient Number of white People, in Proportion to the Number of Negroes to be put thereon; and that according to the Deficiency Act, every ſuch Perſon and Perſons are and ſhall be, and are hereby intitled to the Preference, and to an actual Grant of ſuch Tract or Tracts of Land from and after Judgement ſhall or may be affirmed to his Majeſty, his Heirs, or Succeſſors, which it is hereby enacted ſhall and may be done in any Two enſuing Courts after ſuch Information, ſuch Perſon or Perſons paying for every One hundred Acres Ten Shillings, and no more, to the Governor or Commander in Chief, together with the uſual Fees directed in and by an Act, intituled, *An Act for regulating Fees*; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: And in caſe any Perſon ſhall neglect or omit doing his Duty herein, he ſhall forfeit the Sum of Fifty Pounds.

Clauſe to encourage Perſons to make Diſcovery of ſuch Lands for which Quit-rents have not been paid, &c.

VI. AND

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VI. AND be it further enacted by the Authority aforeſaid, That every Parcel of Land hereafter to be eſcheated, after Office found for his Majeſty, his Heirs, and Succeſſors, ſhall be cried out in the laſt Proprietor's Name, three Times every Second *Tueſday* of the Grand Court or Term, during the Sitting of the ſaid Court, for three Courts or Terms ſucceſſively, before Judgement paſs for the King; and that no Patent for any Land hereafter to be eſcheated ſhall be granted otherwiſe; and if any ſuch ſhall be hereafter granted in any other Manner than as aforeſaid, every ſuch Grant or Patent ſhall be deemed illegal, null, and void; any thing in this, or in any other Act, Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Land eſcheated after Office found, to be cried out three times in every Grand Court, for 3 Courts ſucceſſively, before Judgement paſs for the King.

VII. AND be it further enacted by the Authority aforeſaid, That upon all Eſcheats hereafter to be granted for any Land, the Jury that ſhall value the ſame ſhall conſiſt of ſuch Perſons who ſhall have a Freehold of the Value of Ten Pounds *per Annum* at leaſt, in the Pariſh where the Land to be eſcheated is, who are hereby obliged to do it on Oath, according to the real Value thereof, to the beſt of their Judgements, at the Time of ſuch Valuation; one third Part of which Value to be allowed the Grantee or Patentee, towards the defraying the Charges he ſhall be at in obtaining the ſaid Land.

Eſcheats hereafter to be granted, the Jury to value the ſame upon Oath, according to its real Value, at the Time of ſuch Valuation.

VIII. AND whereas ſeveral Perſons have complained of the Loſs of their Receipts for Quit-rents paid, and they not finding due Credit given for ſuch Payments in the Quit-rent Books, have been obliged to pay the ſame over again: For the preventing the like Inconveniencies for the future, and in order that a proper Check be on the Quit-rent Books, be it enacted by the Authority aforeſaid, That the Secretary of this Iſland do immediately find and provide a proper well bound Book, for the copying all Receipts for Quit-rents to be paid, for each reſpective Pariſh; and that the ſaid Secretary be, and is hereby obliged and required to enter ſuch Receipts, under the Penalty of Ten Pounds for every Neglect or Refuſal; and that for his recording ſuch Receipts in the ſaid Book, he ſhall receive from the Perſon that applies for recording the ſame, One Shilling and Three Pence each, and no more; and every Perſon or Perſons paying Quit-rents, are hereby obliged to offer their reſpective Receipts to be recorded in one Month after the Date of ſuch Receipts reſpectively, under the Penalty of Ten Pounds for every ſuch Neglect or Refuſal.

Secretary to provide Books for recording Receipts taken for Quit-rents paid,

IX. AND be it further enacted by the Authority aforeſaid, That the ſaid Secretary be, and is hereby obliged to ſend to the Governor, Council, or Aſſembly an Accouut of all Receipts entered in his Office as aforeſaid, whenever they ſhall reſpectively think proper to demand it, under the Penalty of Ten Pounds for every ſuch Neglect or Refuſal; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

and ſend an Account of ſuch Receipts recorded, to the Governor, &c.

X. AND whereas many Frauds and Abuſes have been committed in receiving and collecting of his Maieſty's Fines, Forfeitures, and Amerciaments, be it enacted and ordained by the Authority aforeſaid, That the Provoſt-marſhal, his Deputy and Deputies, the Clerk of the Grand Court, and the Clerks of the Quarter Seſſions and Courts of Common Pleas in the ſeveral Pariſhes within this Iſland ſhall, within Six Months after the paſſing of this Act, tranſmit an Account of all Fines, Forfeitures, and Amerciaments within their ſeveral and reſpective Offices, for Thirty Years laſt paſt, to the Receiver General, or his Deputy, and pay all Sum or Sums of Money as they have reſpectively received and not accounted for, under the Penalty of One hundred Pounds.

An Account of all Fines for 30 Years paſt, to be tranſmitted to Receiver General,

XI. AND be it further enacted and ordained by the Authority aforeſaid, That an Account of all Fines, Forfeitures, and Amerciaments which are now due and uncollected, ſhall be entered in the Receiver General's Books, and the ſeveral and reſpective Perſons charged with the ſame.

and all uncollected Fines to be entered in his Book,

XII. AND be it enacted and ordained by the Authority aforeſaid, That for the future the Provoſt-marſhal, his Deputy and Deputies, the Clerk of the Grand Court, the Clerks of the Quarter Seſſions and Courts of Common Pleas in the ſeveral Pariſhes within this Iſland, ſhall, from time to time, within ten Days after the Adjournment of the ſeveral and reſpective Courts, tranſmit an Account of all Fines, Forfeitures, and Amerciaments to the Receiver General, or his Deputy; which Accounts ſhall be immediately entered in the Receiver General's Books, and the ſeveral and reſpective Perſons charged with the ſame.

and alſo all future Fines.

XIII. AND be it enacted and ordained by the Authority aforeſaid, That for the future all Fines, Forfeitures, and Amerciaments ſhall be paid into the Hands of the Receiver General, or his Deputy; and that no other Perſon or Perſons preſume to receive or diſcharge the ſame, or any Part of them, or any other Publick Money, not otherwiſe particularly directed by any Act, as to the Payment thereof, under the Penalty of Five hundred Pounds; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

All Fines to be paid to Receiver General.

XIV. AND be it further enacted and ordained by the Authority aforeſaid, That all Penalties in this Act mentioned, and not declared how they ſhall be diſpoſed of, or where recovered, ſhall be one Half to his Majeſty, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and

Forfeitures how to be diſpoſed of.

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the other Half to the Informer, or him or them who ſhall ſue for the ſame; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Every Pariſh to have a Copy of this Act.

XV. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do forthwith make out a Copy of this Act for each of the Pariſhes in this Iſland, and tranſmit the ſame to the *Cuſtos*, or next Magiſtrate of each Pariſh; for each of which Copies he ſhall receive from the Receiver General the Sum of Fifteen Shillings out of any Money in his Hands; and that this Act ſhall be read in each Quarter Seſſions of the Peace within this Iſland; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

№ 334. Expired. *An Act to repeal Part of an Act, intituled,* An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes, *paſſed in* April *laſt; and to oblige Tavern Keepers, and Retailers of Rum, Sugar, or Rum Punch, and Billiard-table Keepers, to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient, in full lieu and Satisfaction of the ſeveral Taxes impoſed upon them reſpectively by the ſaid Act.*

№ 335. *An Act for running, cutting, and clearing the dividing Lines; and cutting of Roads in and between the Pariſhes of* Weſtmoreland *and* Hanover; *and for repairing a Bridge over* Cabaritta River *in the ſaid Pariſh of* Weſtmoreland.

WHEREAS it will greatly tend to the Eaſe and Security of the Inhabitants of the Pariſhes of *Weſtmoreland* and *Hanover*, that the dividing Lines between the ſaid Pariſhes be run, cut, and cleared, and laid out in the directeſt Manner that can be, from *Savanna la Marr* in the Pariſh of *Weſtmoreland*, to *Orange Bay* in the Pariſh of *Hanover*: And in order to keep up a Communication between the ſaid Pariſhes, in caſe of any Danger, may it pleaſe your moſt Excellent Majeſty that it may be enacted, be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That the dividing Lines or Bounds be run, laid out, and aſcertained between the ſaid Pariſhes; and the Juſtices and Veſtry of each Pariſh are hereby required and impowered to employ a Surveyor or Surveyors for that Purpoſe, under the Penalty of Fifty Pounds on each Juſtice and Veſtryman refuſing or neglecting his Duty therein; and the Surveyor or Surveyors ſo employed, are to be paid out of the Pariſh Stock of each Pariſh reſpectively.

The dividing Lines between the two Pariſhes to be aſcertained,

and a Road cut, &c.

II. And be it further enacted by the Authority aforeſaid, That a publick Road be cut and laid out from *Savanna la Marr* in the Pariſh of *Weſtmoreland*, in the directeſt Manner that can be, through the Land of *Richard Dunn*, and *John Hynes*, Eſquire, called *Paradice*, on the Eaſt and Weſt Sides of *Cabaritta River*, and from the Land of the ſaid *John Hynes*, through the Plantation of *William Dorrill*, Eſquire, called *Egypt*, in the directeſt Manner poſſible, to the Road to *Negrill*, by the Plantation of the ſaid *John Hynes*, called *The Retrieve*, and from thence through the Plantation of Meſſieurs *Gale* and *Downer*, to the Bounds of the Pariſh of *Weſtmoreland*, and from the ſaid Bounds of the Pariſh of *Weſtmoreland*, by the Pariſh of *Hanover*, to the Plantation of *James* and *John Campbell*, Eſquires, at *Orange Bay*, in the ſaid Pariſh of *Hanover*.

Juſtices to allot Negroes, &c.

III. And be it enacted by the Authority aforeſaid, That the Juſtices and Veſtry of each of the ſaid Pariſhes be, and they are hereby impowered and required to allot Negroes for cutting and clearing the ſaid Roads, on or before the Firſt Day of *December* next, on the Penalty of Fifty Pounds, to be forfeited by each Juſtice and Veſtryman refuſing or neglecting his Duty herein.

IV. And

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IV. AND be it further enacted by the Authority aforeſaid, That the Pariſh of *Weſtmoreland* be obliged and required to rebuild and repair the Bridge over *Cabaritta River*, between the aforeſaid Lands of *Richard Dunn* and *John Hynes*; and the Juſtices and Veſtry of the ſaid Pariſh are hereby required to raiſe Money in the ſame Manner the Pariſh Tax is uſually raiſed, for rebuilding, repairing, and keeping the ſaid Bridge from time to time in Repair, on the Penalty of Fifty Pounds, to be forfeited by each Juſtice and Veſtryman neglecting his Duty herein.

The Bridge over *Cabaritta River* to be rebuilt, &c. by *Weſtmoreland* Pariſh.

V. AND be it further enacted by the Authority aforeſaid, That the Penalties in this Act mentioned, ſhall be recovered in his Majeſty's Supreme Court of Judicature in this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Injunction, Protection, or Imparlance ſhall be granted or allowed; one Half of which ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other to him or them who ſhall inform or ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalties how to be recovered and diſpoſed of.

An Act for dividing this Iſland into two Diviſions, to be for ever hereafter known and deſcribed by the Names of the Eaſtern *and* Weſtern Diviſions, *for erecting and building Barracks in the ſaid* Weſtward Diviſion, *cutting and clearing Roads therein, and for raiſing and fitting out Parties, for the more ſpeedy and effectual ſuppreſſing the rebellious and runaway Negroes.*

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WHEREAS the rebellious and runaway Negroes have, within few Years paſt, greatly increaſed, notwithſtanding all the Meaſures hitherto concerted and made uſe of for their Suppreſſion, and more eſpecially are become very formidable in the North-eaſt, North-weſt, and South-weſt Parts of this Iſland, to the great Terror of his Majeſty's Subjects in thoſe Parts, who have greatly ſuffered by the frequent Robberies, Murders, and Depredations committed by them: And whereas this Iſland is of great Extent in Length, and it having been found very inconvenient and prejudicial for the Inhabitants of the Weſtern Parts to be obliged to ſend Aſſiſtants of White and Black Shot and Baggage Negroes to the Eaſtern Parts, as it muſt alſo be to thoſe of the Eaſtern in like Manner to ſend to the Weſtern Parts; it is to be feared, without ſome timely Remedies and Precautions, from the great Number of Slaves lately run away, and joined with thoſe in Rebellion, the Weſtern Parts of the Iſland will ſoon become the Seat of an inteſtine War, as well as the Eaſtern: For Remedy whereof, we, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from henceforth, and for ever hereafter, this Iſland ſhall be divided into two diſtinct and ſeparate Diviſions, to be known and deſcribed by the Names of the *Eaſtern* and *Weſtern Diviſions*; the *Eaſtern Diviſion* to contain the Pariſhes of St. *Thomas in the Eaſt*, *Portland*, St. *David*, St. *George*, St. *Andrew*, St. *Mary*, *Kingſton*, *Port Royal*, St. *Catharine*, St. *Thomas in the Vale*, St. *John*, and St. *Dorothy*; and the *Weſtern Diviſion* to conſiſt of the Pariſhes of *Clarendon*, *Vere*, St. *Anne*, St. *Elizabeth*, *Weſtmoreland*, *Hanover*, and St. *James*.

The Iſland to be divided into two Diviſions, and called the *Eaſtern* and *Weſtern Diviſions*.

II. AND whereas the rebellious Slaves in the Pariſhes of *Clarendon*, St. *Anne*, St. *Elizabeth*, *Weſtmoreland*, *Hanover*, and St. *James*, have greatly increaſed in Numbers, and have conſiderable Settlements in the Mountains and leaſt acceſſable Parts in the ſaid Pariſhes, particularly near the Heads of *Great River* and *Black River*, in the Pariſhes of *Weſtmoreland* and St. *Elizabeth*, and to the Northward of *One Eye*, in the ſaid laſt mentioned Pariſh, as well as betwixt *Clarendon* and St. *Anne*, who commit frequent Robberies and Murders in the ſaid Pariſhes, and have occaſioned ſeveral Settlements to be abandoned and thrown up by the Owners and Poſſeſſors; and thereby hinders, obſtructs, and prevents vaſt Tracts of valuable Land from being ſettled and cultivated in the ſaid ſeveral Pariſhes, to the great Prejudice and Diminution of his Majeſty's Revenue in *Great Britain*, as well as the Trade, Navigation, and Conſumption of the *Britiſh* Manufactures in this Iſland, and to the manifeſt weakening and preventing the further Increaſe of Strength and Inhabitants therein: And whereas the fitting out flying and other Parties, have for many Years proved unſucceſsful and inſufficient to anſwer the Ends propoſed, from the Length and Difficulty of the Marches they have been obliged to take, the Difficulties of ſubſiſting them in the Woods for ſo long Time as the Service required, and many other Accidents: And whereas nothing can tend and contribute ſo expeditiouſly to the diſtreſſing, ſtraiten-

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ing, and ſuppreſſing the ſaid rebellious Slaves, as erecting and building ſtrong defenſible Houſes and Barracks, ſufficiently manned, as near their Settlements as poſſible, that at convenient Seaſons and Opportunities they may make Excurſions on them, and attack them to the beſt Advantage, and in their Marches root up, burn, and deſtroy their Proviſions: Be it therefore further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the above mentioned Pariſhes in the *Weſtern Diviſion* of this Iſland be, and they are hereby obliged and required to meet the firſt *Monday* in *December* next, or within ten Days after, to raiſe, levy, and allot, on the ſeveral Settlers and Inhabitants of the ſaid Pariſhes reſpectively, a Number of White and Black Shot and Baggage Negroes, as well as Pioneer or labouring Negroes, for building and erecting Barracks, and cutting of Roads, as herein after ſhall be directed to be raiſed, levied, and allotted, in Proportion to each Perſon's Number of Negroes he hath or may be poſſeſſed of on the ſaid Day.

Juſtices in the *Weſtern Diviſion* to levy on the Inhabitants what Number of Negroes they are to ſend for erecting of Barracks, &c.

How Perſons refuſing to give an Account of their Negroes are to be aſſeſſed, &c.

III. And all Perſons refuſing or neglecting to give an Account, as aforeſaid, ſhall be aſſeſſed by the Juſtices and Veſtry one fourth Part more than the Number given in the laſt Aſſeſſment of the Deficiency in each Pariſh reſpectively, as aforeſaid (that is to ſay) one White or Black Shot for every two hundred Negroes, and ſo in Proportion for a greater or leſſer Number of Negroes each Perſon is or ſhall be poſſeſſed in each of the ſaid Pariſhes reſpectively, two Thirds of which Shot ſo to be raiſed and allotted, at the leaſt, to be white Men; which ſaid White and Black Shot, ſo choſen and allotted, ſhall be ſent to ſuch Place of Rendezvous, as his Excellency the Governor, or the Commander in Chief for the time being, or the Commiſſioners herein after named by his Authority, ſhall direct, within fifteen Days after ſuch Allotment, with a good Muſket or Fuſee, a good Cutlaſh or Muſcheat, together with two Pounds of Powder, and ſix Pounds of Ball; and every White Shot with a Pair of good ſtrong Shoes, Oznabrig Frock and Trowzers, and a Felt Hat; and every Black Shot with ſuch Frock and Trowzers; and every Perſon refuſing or neglecting to ſend ſuch White or Black Shot in ſuch Manner accoutered as he ſhall be ſo allotted, ſhall for every ſuch Offence forfeit the Sum of Twenty Pounds; to be recovered in a ſummary Way, before any Two of the Commiſſioners herein after named for the reſpective Diſtrict where ſuch Offence ſhall be committed, who are reſpectively hereby impowered and required to try, hear, and determine all ſuch Offences.

Negroes, &c. how to be armed.

A Number of Baggage Negroes, &c. to be appointed for clearing the Roads, &c.

IV. And alſo that the ſaid Juſtices and Veſtry in each of the ſaid Pariſhes reſpectively, ſhall at the ſame time raiſe and allot ſuch a Number of Baggage Negroes, as ſhall be neceſſary, in Proportion to each Perſon's Number of Slaves, and in the moſt equitable Manner; and alſo raiſe, levy, and allot, in the like Manner and Proportion, one Pioneer or labouring Negro for every two hundred Slaves, and ſo in Proportion for a greater or ſmaller Number of Negroes each Perſon is or ſhall be poſſeſſed of in each of the ſaid Pariſhes reſpectively, for the cutting and clearing the Roads, erecting and building Barracks, and other Services, as herein after by this Act are nominated and directed, under the like Penalties and Manner of Recovery for every Offence, as is inflicted on Perſons refuſing or neglecting to ſend White or Black Shot when allotted, as aforeſaid.

Every Baggage Negro, &c. to be viewed and valued, &c.

V. And be it further enacted by the Authority aforeſaid, That every Black Shot, Baggage Negro, and Pioneer or labouring Negro, raiſed by virtue of this Act, ſhall be, within ten Days after the Allotment, produced before the Juſtices and Veſtry of each Pariſh, and by them be approved of to be able and proper Slaves for the intended Service; and in caſe of Objection, the Maſter, Owner, Manager, or Overſeer, ſhall be obliged to bring another fit and able Negro, to be approved of as aforeſaid; and the ſaid Juſtices and Veſtry are hereby obliged and required to Value every of the ſaid Negroes ſo to be raiſed, that in caſe of any being killed, dying, or being maimed in the Service, the Maſter, Owner, or Proprietor, Agent, or Attorney, may be paid the Value of every Negro being ſo killed, dead, or maimed in the Service, on producing a Certificate of the Valuation of the ſaid Negro, and alſo of the Death or Maiming of the ſaid Negro; which Valuation ſhall be paid by the Receiver General out of any Money applied to the Uſe of Parties; and in caſe of none being ready, ſuch Certificate ſhall bear an Intereſt of ten Pounds *per Centum per Annum*, from the Death, killing, or maiming of every ſuch Negro; provided the Maſter, Owner, Manager, Agent, or Attorney of the Perſon whoſe Negro ſhall be ſo killed, die, or be maimed, do, and ſhall, within ten Days after Notice from any of the Commiſſioners, ſend another fit and able Negro in the Room and Stead of ſuch, to be approved and valued as aforeſaid; Certificates of which ſhall be produced to the Receiver General, on the tendering the Two afore mentioned, and demanding Payment.

Clauſe for Relief of Planters who have a greater or ſmaller Number of Negroes than 200.

VI. And whereas ſeveral Inhabitants and Planters in the afore mentioned Pariſhes have a ſmaller, and many a greater Number of Slaves than Two hundred, or ſuch Proportion as will be neceſſary to raiſe one Black or White Shot, Baggage, or Pioneer Negro; for preventing any Hardſhips or Diſputes that may thereupon ariſe, be it further enacted by the Authority aforeſaid, That in every ſuch Caſe the Juſtices and Veſtry do join ſuch and ſo many Inhabitants together as ſhall make up the Number, out of which any Shot, Baggage, or Pioneer Negro is to be raiſed, and allot any one of ſuch Number to ſend the ſame, who

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who is hereby obliged ſo to do, under the afore mentioned Penalties; and the others ſo joined and exempted, to pay ſuch Proportion of Hire to the Perſon allotted to ſend, as the Juſtices and Veſtry ſhall aſſeſs, which ſhall be paid; and in caſe of Refuſal, on Complaint to any Juſtice, ſuch Juſtice is hereby impowered and required to grant a Warrant of Diſtreſs for levying the ſame.

A ſtrong Barrack to be built at the Head of *Great River*;

VII. AND be it further enacted by the Authority aforeſaid, That one ſtrong defenſible Houſe or Barrack, either of Stone or Timber, with two or more Baſtions, be built and erected at or near the Head of *Great River*, and in ſuch convenient and proper Place, as the Commiſſioners herein after named for the Pariſh of *Weſtmoreland* ſhall direct; which defenſible Houſe ſhall be built by the Negroes raiſed and allotted for that Purpoſe by the Pariſhes of *Weſtmoreland* and *Hanover*.

and another 10 Miles northward of *Barbadoes Valley*;

VIII. AND be it further enacted by the Authority aforeſaid, That one ſuch other defenſible Houſe or Barrack ſhall be erected and built in like Manner, about ten Miles to the Northward of *Barbadoes Valley*, or near that Diſtance as it can conveniently be raiſed, in reſpect to Water in the ſaid Pariſh of St. *Elizabeth*, by the Negroes raiſed and allotted for that Purpoſe out of the Pariſhes of St. *Elizabeth* and St. *James*.

and one more between *Cargill*'s Plantation and *Drax*'s Crawl.

IX. AND one other defenſible Houſe or Barrack in like Manner, in the Centre between *Cargill*'s Plantation in the Pariſh of *Clarendon*, and *Drax*'s Crawl in the Pariſh of St. *Anne*, or in ſuch Place as the Commiſſioners for the ſaid Pariſhes ſhall direct; to be erected and built by the Negroes raiſed and allotted for that Purpoſe out of the Pariſhes of *Clarendon*, *Vere*, and St. *Anne*.

Commiſſioners to hire the Artificers for building the ſaid ſtrong Barracks, &c.

X. AND for the more ſpeedy erecting and building the ſaid defenſible Houſes or Barracks, be it further enacted by the Authority aforeſaid, That the Commiſſioners herein after named, for ordering and directing the building the ſaid defenſible Houſes, or the Majority for each, be, and they are hereby impowered to hire ſuch Sawyers, Carpenters, Maſons, and Bricklayers, as ſhall be neceſſary for the building and erecting the ſaid Barracks or defenſible Houſes in the Time and Manner herein after directed and appointed; at the Expence of the Pariſhes, and in Proportion to the Number of Negroes in each, and to be paid by the Church-wardens of each Pariſh reſpectively; the ſaid Commiſſioners giving Certificates to the ſaid Workmen, their Owners, Maſters, or Employers, for the true Value of the Work by them done; and in caſe no Workmen can be hired voluntarily, then the ſaid Commiſſioners be, and they are hereby impowered to impreſs ſuch Workmen as ſhall be neceſſary, who ſhall be paid as herein before directed.

The Duty of the White and Black Shot Parties.

XI. AND be it further enacted by the Authority aforeſaid, That the Parties of White and Black Shot herein before appointed to be raiſed, ſhall be, and they are hereby obliged and required to guard and protect the Negroes whilſt cutting and clearing the ſaid Road, and the Workmen whilſt building the Barracks; and alſo the Negroes, who ſhall cut the ſaid Roads, be directed and obliged by the Commiſſioners, to fall, clear, and plant in Proviſions, five Acres of Ground at leaſt round each Barrack, and alſo fall Timber, burn Lime, get Stone, and other Materials for building the ſaid Barracks or defenſible Houſes; and ſhall do all other Things requiſite and neceſſary, which the ſaid Commiſſioners are hereby obliged and required to direct.

The Barracks, and 2000 Acres round them, veſted in his Majeſty, &c.

XII. AND be it further enacted by the Authority aforeſaid, That the Land on which every of the ſaid Barracks ſhall be built, and two thouſand Acres adjacent and round each Barrack, not being within three Miles of any Settlement whereon a White Man is reſident, ſhall be, and the ſame is hereby veſted in his Majeſty, his Heirs and Succeſſors, any former Grant or Patent thereof, or any Part thereof, to the contrary notwithſtanding; to the Intent the ſame may be regranted by the Governor, or Commander in Chief for the time being, to any Perſon or Perſons who ſhall, within ſix Months after the Date of his Patent, go upon, begin, and continue a Settlement, with one white Man and ten Negroes at the leaſt; and every Perſon to whom any ſuch Grant ſhall be made, ſhall be obliged to give Security in the Secretary's Office for that Purpoſe: Provided nevertheleſs, That there ſhall not be above One hundred Acres granted to any one Perſon.

Proviſo.

XIII. PROVIDED alſo, and be it further enacted, That every Perſon, whoſe Land ſhall be ſo taken up or reſumed, in order to be regranted as aforeſaid, ſhall be paid by the Pariſhes that have joined in the building the Barrack or defenſible Houſe, five Shillings *per* Acre, on his, her, or their Agent's or Attorney's producing a Certificate, that the Quit-rents thereof due and owing to his Majeſty to the Time of ſuch Reſumption or regranting thereof have been duly paid to his Majeſty's Receiver General.

Commiſſioners to order two Roads to be cut and cleared.

XIV. AND be it further enacted by the Authority aforeſaid, That the Commiſſioners herein after named, and the Majority of them, for directing the building each Barrack, ſhall, on or before the Twentieth Day of *December* next enſuing, order and direct the Parties raiſed as aforeſaid, and the Baggage Negroes, together with the Pioneer or labouring Negroes of *Weſtmoreland* and *Hanover*, to cut and clear one Road from *Surrenam Quarters*, in the Pariſh of *Weſtmoreland*, at leaſt ſixty Feet wide, to the Head of *Great River* in the Pariſh

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Pariſh of *Weſtmoreland*, or Place where the ſaid ſtrong defenſible Houſe ſhall be built; and alſo one other Road from *Dean's Valley*, in the ſaid Pariſh or *Weſtmoreland*, thereto.

and the Ground to be cleared, &c. for erecting the Barracks,

XV. AND then to ſet about to clear Ground, fall and get Timber, Stone, Lime, and other Materials for building and erecting the ſaid Barracks, and to compleat all other Works directed by this Act; and not to return or quit the ſame till done, or without Licence from Two of the ſaid Commiſſioners, under the Penalty of Twenty Pounds on every Maſter, Miſtreſs, Manager, or Overſeer, who ſhall receive, detain, or conceal his, her, or their Negro or Negroes.

and another Road to be cut 60 Feet wide, &c.

XVI. AND the ſaid Pioneer or labouring Negroes, from St. *Elizabeth* and St. *James*'s, to cut and clear a Road, at leaſt ſixty Feet wide, from *Barbadoes Valley*, in St. *Elizabeth*'s, as near northerly as poſſible to the Sea, in St. *James*'s, and from the ſaid main Road to the ſaid defenſible Houſe or Barrack, for the Pariſhes of St. *Elizabeth* and St. *James*; and alſo the Pioneer Negroes from *Clarendon*, *Vere*, and St. *Anne*'s, to cut, open, and keep clear the Road from *Clarendon* to St. *Anne*'s, and from the ſaid Road to the Place appointed for erecting the defenſible Houſe or Barrack for the ſaid Pariſhes.

and to appoint an Overſeer.

XVII. AND be it further enacted by the Authority aforeſaid, That the Commiſſioners, or the major Part of them for each Pariſh reſpectively, be, and they are hereby impowered and required to hire an Overſeer to look after the Negroes to be employed in the afore mentioned Services, and to ſee the Work performed and compleated, as directed by this Act; which Overſeers ſhall be paid by each Pariſh, reſpectively, not exceeding Eight Pounds *per* Month.

How the Monies are to be raiſed.

XVIII. AND to enable ſuch Pariſh to raiſe the ſaid Money, or any other Sums directed by this Act, be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of each Pariſh reſpectively be, and they are hereby impowered and required to meet on or before the firſt Day of *January* next, and at ſuch other Times as it ſhall be neceſſary, to aſſeſs, levy and raiſe, in like Manner as the Pariſh Tax, ſo much and ſuch Sums of Money, as ſhall be neceſſary to anſwer the Charges of the Services directed and intended by this Act; which Money to be raiſed, ſhall be paid over by the Church-wardens to the Commiſſioners herein after appointed.

Negroes to take Poſt in the Barracks, as ſoon as they are built, &c.

XIX. AND be it further enacted by the Authority aforeſaid, That the Parties of White and Black Shot and Baggage Negroes, directed to be raiſed by this Act, ſhall be, and they are hereby obliged and required, ſo ſoon as the ſeveral and reſpective Barracks be built, to take Poſt therein; and from thence, on all Commands of his Excellency the Governor, or Commander in Chief for the time being, or by his Authority, by the Commiſſioners, or Commanding Officer in each Pariſh where ſuch Barracks ſhall be built, to march after, attack, purſue, and deſtroy all runaway and rebellious Negroes, and root up, burn, and deſtroy all Kinds of Proviſions they ſhall meet with.

and to be trained, &c. in the Military Art, &c.

XX. AND be it further enacted by the Authority aforeſaid, That his Excellency the Governor, or the Commander in Chief for the time being, be deſired, and he is hereby impowered to grant Commiſſions to ſuch Officers, and ſo many, as he ſhall judge proper and neceſſary for commanding, conducting, and training in the Military Art, and exerciſe the Parties of White and Black Shot, directed to be raiſed by virtue of this Act; each Captain to have Ten Pounds, each Lieutenant Five Pounds, and each Serjeant Three Pounds, for each Calendar Month, to be paid by the Commiſſioners out of the Money to be raiſed in the reſpective Pariſhes aforeſaid, and paid over by the Church-wardens, as herein directed; which Officers ſhall be, and they are hereby obliged and required duly to train, exerciſe, and diſcipline the Parties under their Command; to read the Rules and Articles of War, and the Encouragements, together with the Penalties inflicted by this Act, to them once every Month, under the Penalty of being tried and puniſhed by a Court-martial for every Neglect or Offence.

Proviſo.

XXI. PROVIDED, the Captain or Lieutenant ſo to be commiſſioned or apointed, ſhall not be a Servant, hired, or indented; but if any ſuch be appointed, he ſhall not be intitled to any Pay whatſoever.

Upon any Emergency, Governor may unite the Parties of the three Barracks, &c.

XXII. AND whereas the Rebels may unite a conſiderable Part of their Strength, or gather in a formidable Body in any one Place, where it may become difficult, dangerous, and even impracticable, for any one Party to attack them; be it therefore further enacted by the Authority aforeſaid, That in every ſuch Caſe, or any other Emergency, that his Excellency the Governor, or Commander in Chief for the time being, ſhall judge proper to order all, or ſo many of the Parties in the three Barracks ſo to be built as aforeſaid, to unite and join; and his Excellency the Governor, or Commander in Chief for the time being, is hereby impowered, on any ſuch Occaſion, to order and direct to be united and joined ſuch Number as he ſhall judge proper, to march, and attack the Rebels at any of their Settlements, or to defend any Place that may be in Danger in the ſaid Diſtrict or *Weſtern Diviſion*; and the ſaid Party, Officers, and Private Men are hereby obliged and required to follow ſuch Orders, Directions, and Inſtructions, as his Excellency the Governor, or

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or Commander in Chief for the time being, ſhall think proper to give, on the Penalty of being tried and puniſhed by a Court-martial for every Breach of their Orders or Duty, or Non-compliance with ſuch Orders, Directions, and Inſtructions as they ſhall receive.

Officers, &c. to be ſubject to the Articles of War, &c.

XXIII. AND the ſaid Officers and Party-men, Whites and Blacks, as well as Baggage Negroes reſpectively, to be raiſed by Virtue of this Act, from the Time of the Officers being commiſſioned, and Party-men and Baggage Negroes allotted for and during the Continuance of ſuch Parties, by virtue of this Act, are hereby declared to be ſubject and liable to the Rules and Articles of War eſtabliſhed to be in Force in this Iſland in the Time of the late Martial Law; which Articles and Rules of War are hereby enacted by the Authority aforeſaid, to be in Force for that Purpoſe, and all Offenders to be tried and puniſhed accordingly by a Court-martial, which ſhall conſiſt of Seven Commiſſion Officers of the Militia at the leaſt, in which a Field Officer ſhall preſide, and be aſſiſted with Two Captains at leaſt; but Execution of any Sentence that ſhall extend to Life, ſhall be reſpited until his Excellency the Governor, or the Commander in Chief for the time being's Orders and Directions be had thereon; and all Officers warned to ſuch Court-martial, ſhall duly attend, on Penalty of forfeiting Twenty Pounds, and being cenſured by a Court-martial for every ſuch Offence; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Negroes to be furniſhed with Proviſions by their Owners for 3 Months.

XXIV. AND be it further enacted by the Authority aforeſaid, That the Parties ſo to be raiſed of White and Black Shot, Baggage, Pioneer or labouring Negroes, ſhall be provided by their reſpective Owners with Proviſions and Neceſſaries, at the Time of going to the Place of Rendezvous, for the Space of Three Months at leaſt, and always Three Months Proviſions at the leaſt before Hand, under the Penalty of Twenty Pounds for every Offence; to be recovered from ſuch Owner, Truſtee, Attorney, Overſeer, or Manager, by Warrant from any Two of the ſaid Commiſſioners where ſuch Offence ſhall be committed, which ſaid Commiſſioners are hereby impowered and required to try, hear, and determine all ſuch Offences; and alſo all Owners of Pioneer or labouring Negroes, to be raiſed by Virtue of this Act, are hereby obliged and required to deliver every ſuch Negro a good Falling-ax, one Hough, and one Bill, on the Penalty of Twenty Shillings for every Offence; to be recovered as the laſt before mentioned Penalty.

If ſick, to be ſent home, and others ſent in their Room.

XXV. AND be it further enacted by the Authority aforeſaid, That if any white Man or Negro, ſent out in any of the Parties, as aforeſaid, ſhall happen to be ſick, or unable to perform the Service required, the Commanding Officer of ſuch Party ſhall order him home to the Plantation or Settlement from whence he was ſent; and the Owner, or other Perſon in Truſt, ſhall, within Ten Days, ſend another able Man in his Room, under the Penalty of Twenty Pounds for every Neglect or Refuſal; to be recovered in a ſummary Way, before any Two of the ſaid Commiſſioners, in the ſame Manner as herein before by this Act is directed.

Parties to ſcour the Woods, &c.

XXVI. AND be it further enacted by the Authority aforeſaid, That the Parties ſhall be obliged conſtantly to make Excurſions from their Barracks, ſcour the Woods, Mountains, Cockpits, and all ſuſpected Places round each Barrack; and when they go on ſuch Service, they are hereby obliged and required to carry from the Barrack at leaſt Twenty Days Proviſions, that they may not return without effecting the Service intended, and attacking the Rebels in their Settlements, in order to take, purſue, and deſtroy them; and wherever they meet with any Proviſions in the Haunts or Settlements of ſuch rebellious Slaves, to halt, till they intirely root up, burn, and deſtroy the ſame, before they march from any ſuch Place; and the ſaid Parties ſhall not come into any Settlement, or loiter away their Time therein, on any Pretence, but evident Neceſſity; and every Officer offending herein, ſhall for every ſuch Offence be tried and puniſhed by a Court-martial, as herein before directed.

Rewards to be given for Negroes killed or taken alive.

XXVII. AND to encourage the ſaid reſpective Parties carefully to do their Duty, they ſhall reſpectively have and receive to themſelves Forty Pounds *per* Head for every rebellious Negro Man, and Twenty Pounds for every Woman they ſhall kill or take alive, and Ten Pounds for every one under the Age of Fourteen Years they ſhall kill or take alive; ſuch as ſhall be taken alive, except where it ſhall be judged neceſſary to execute them, as an Example and Terror to others, to be ſent and delivered to the Receiver General by the Commiſſioners, and by him to be tranſported and ſold, for the Benefit of the Pariſh wherein ſuch Negro or Negroes ſhall be taken; which ſaid Rewards ſhall, on Tender of proper Certificates, be paid by the Receiver General out of any Fund or Funds already applied, or to be applied to the Uſe of Parties; and if none ready, or in the Receiver's Hands, to carry an Intereſt of Ten *per Cent.* from the Date to the Time of Payment; which Rewards ſhall be paid to the Commiſſioners, by them to be diſtributed and paid to ſuch Parties or Party-men, or to and amongſt ſuch reſpective Parties, in ſuch Proportion, as the ſaid Commiſſioners ſhall think fitting, according to the Behaviour and Merit of each Perſon, and Mile-money, according to the Laws for every ſkulking or runaway Negro they ſhall take up; to be paid by the Owner, if known, and if not known, by the Deputy-marſhal for the Precinct, who, if he finds no Owner, ſhall, in Ten Days, deliver

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him or her to the Provoſt-marſhal, by him to be reimburſed with Seven Pence Halfpenny *per* Day for his Maintenance, beſides all Charges.

In caſe of Neceſſity, free Negroes to join the Parties.

XXVIII. AND alſo in caſe of Neceſſity, or any Emergency, to reinforce any of the ſaid Parties; be it enacted by the Authority aforeſaid, That all free Mulattoes, free *Indians*, and free Negroes, in all or any of the before mentioned Pariſhes in the *Weſtern Diviſion* of this Iſland, be, and they are hereby obliged and required, on the Command and Summons of the Commanding Officer of the Militia, or of any Two of the Commiſſioners by this Act appointed, to march out, accoutred with ſuch Arms and Ammunition as directed by this Act, and to join ſuch Party as they ſhall be ordered, on Penalty of being tried and puniſhed by a Court-martial, as herein before directed and appointed for every Offence againſt the true Intent and Meaning of this Act; which free Mulattoes, free *Indians*, and free Negroes, ſhall be ſubſiſted by the Pariſhes from which they are ſent, during their Continuance in the Service, according to the Direction of any Two of the Commiſſioners.

Every white Man ſent out, to paſs for a Deficiency.

XXIX. AND be it further enacted by the Authority aforeſaid, That every white Man ſent out in any of the Parties, purſuant to this Act, ſhall paſs for a Deficiency in the Plantation or Settlement from whence he was ſent, during his Abſence; and in caſe of his Death, or being killed, ſhall continue to ſtand for a Deficiency for one whole Year from the ſaid Time, provided the Maſter or Owner ſends one other in his Room in Ten Days after Notice thereof, who ſhall alſo ſtand for a Deficiency for the like Time.

Commiſſioners Names.

XXX. AND be it further enacted by the Authority aforeſaid, That the Honourable *Henry Dawkins* Eſquire, and *Thomas Rodon*, *John Pennant*, *Thomas Fearon* junior, *John Cargill*, *Richard Hemings*, *Gerſham Ely*, and *Thomas Price*, Eſquires, are hereby appointed Commiſſioners for the ſaid Pariſhes; which ſaid Commiſſioners, or the major Part of them, ſhall direct the defenſible Houſe or Barrack for the Pariſhes of *Clarendon*, *Vere*, and St. *Anne*, as herein before directed, and fitting out and directing the Parties for the ſaid Pariſhes of *Clarendon*, *Vere*, and St. *Anne*; and that the Honourable *John Campbell* Eſquire, *John Gale*, *Richard Nuſum*, *Iſaac Gale*, *Robert Saunders*, *Jonathan Barnitt*, *Humphry Mumbee*, *Hugh Kirkpatrick* junior, and *Samuel Barritt*, Eſquires, or the Majority of them, be Commiſſioners for building the Barrack, and fitting out and directing the Parties for St. *Elizabeth*'s and St. *James*'s; and that *John Hynes*, *Richard Haughton*, *James Campbell*, *John Gutierie*, *Henry Barham*, *George Goodwin*, and *James Witter*, Eſquires, or the Majority of them, be Commiſſioners, for building the Barrack at or near the Head of *Great River*, and fitting out and directing the Parties of *Weſtmoreland* and *Hanover*; and alſo that the ſaid Commiſſioners be, and they are hereby reſpectively obliged and required to order, direct, and perform all other the Duties and Services, according to the Direction, and true Intent and Meaning of this Act; and in caſe any Commiſſioner neglects his Duty therein, he ſhall for every Offence forfeit the Sum of One hundred Pounds, to be recovered in any Court of Record in this Iſland, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or *Non vult ulterius proſequi* ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Commanders to give an Account every Month of the Perſons complying with this Act.

XXXI. AND be it further enacted by the Authority aforeſaid, That the Commanders of the ſaid Parties directed and intended to be raiſed by this Act, ſhall, once in every Month, give unto the Commiſſioners of the Precinct, or any Two of them, upon Oath, a true and exact Account of thoſe Perſons who complied with this Act, in ſending their Proportion of White and Black Shot, for that Month, or any Part of the Time, and how long they were deficient; and alſo to keep Journals of all their Proceedings, to be ſent to the Commiſſioners, and by them to be tranſmitted to his Excellency the Governor, or Commander in Chief for the time being, under the Penalty of forfeiting half his Wages or Salary; and whoever ſhall be found ſo deficient, ſhall be ſubject and liable to the Penalties in this Act already provided, and for which the Commiſſioners are hereby directed and obliged to have each Offender duly proſecuted.

Barracks to be furniſhed with Dogs.

XXXII. AND be it further enacted by the Authority aforeſaid, That each Barrack be duly provided with a ſufficient Gang of Dogs, which the Commiſſioners are hereby directed and impowered to buy, or impreſs, to be paid for by the Church-wardens of the reſpective Pariſhes out of the Pariſh Stock, or Money they are obliged to levy and raiſe for the ſeveral Uſes and Purpoſes by virtue of this preſent Act, which the Juſtices and Veſtry are hereby obliged and required to do, on the Penalty of Twenty Pounds on each Juſtice and Veſtryman neglecting his Duty herein; to be recovered in a ſummary Way, as herein before directed by this Act.

Penalties how to be recovered and applied.

XXXIII. AND be it further enacted by the Authority aforeſaid, That all the Penalties not mentioned in this Act how to be recovered or applied, ſhall be in his Majeſty's Supreme Court of Judicature in this Iſland, by Bill, Plaint, or Information; one Moiety to the Informer, or him, her, or them who ſhall ſue for and recover the ſame; and the other to and for the Uſe and Benefit of the reſpective Parties where ſuch Offence ſhall be committed, towards ſupporting the Expence of the Parties: And all Penalties directed how

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to be recovered, and not applied, ſhall be in like Manner to the Uſe of the Pariſh where the Crime ſhall be committed, to be paid to the Church-warden or Church-wardens thereof, to and for the Benefit of ſuch Pariſh, and towards the Charge of the Parties raiſed by virtue of this Act.

Copies of this Act to be ſent to the *Cuſtos* of each Pariſh.

XXXIV. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do, and he is hereby obliged, within Twenty Days after the paſſing this Act, to tranſmit Copies thereof to the *Cuſtos*, or next Magiſtrate in each of the Pariſhes in the *Weſtern Diviſion* aforementioned, and to Two of the Commiſſioners for each of the ſaid Pariſhes; for every of which Copies he ſhall have and receive the Sum of Forty Shillings, to be paid by the Church-wardens of each Pariſh reſpectively out of the Pariſh Stock, on Penalty of forfeiting treble the Value for refuſing the ſame, in caſe of Complaint to any Juſtice.

Continuance of this Act.

XXXV. And be it further enacted by the Authority aforeſaid, That all that relate to the raiſing Parties, Baggage and Pioneer Negroes, cutting and clearing of Roads, in this Act, do continue and be in Force for the Space of Two Years only, and from thence to the End of the then next Seſſion of Aſſembly; any thing herein contained to the contrary notwithſtanding.

An Act for leſſening the Quorum *appointed by an Act, intituled,* An Act for the more ſpeedy and effectual collecting the Publick and Parochial out-ſtanding Debts; enlarging the Time for finiſhing and compleating the Publick Accounts; and to enable ſuch Pariſhes to lay, aſſeſs, and pay over the ſeveral Taxes impoſed on them by any Laws, as have hither omitted to do the ſame.

№° 337. Expired.

An Act for cutting a Road from the Breaſtwork, and building a defenſible Houſe at or near the Place where Captain De la Milliere *was ambuſhed; and for prohibiting the retailing of Rum at* Titchfield.

№° 338.

A Road 60 Foot wide to be made near the Rebels great Settlement.

WE, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That a Road of Sixty Foot wide be cut and cleared from the Breaſtwork to the Place where Captain *De la Milliere* was ambuſhed, as nigh to the Rebels great Settlement as will appear practicable for a loaded Mule to travel.

A Barrack to be erected thereon.

II. And after ſuch Road is ſo cut and cleared, that the Space of Ten Chains ſquare be opened and cleared in ſome Part of the ſaid Road, as nigh the Rebels great Settlement as the Situation of the Ground will admit, proper for erecting a defenſible Houſe or Barrack, with Two or more Flankers, ſufficient to lodge Two hundred white Men, already or hereafter to be raiſed, and Proviſion for them for a Month; the Roof to be ſhingled, and the Body, or Walls, to be of Stone, or double Paliſadoes to be filled between, if Stone and Lime are not to be found there; and when ſuch intended Barrack is built, the Diſtance of Thirty Foot from each Side of the ſaid Barrack ſhall be paliſadoed, with Baſtions at each Angle, to be covered with Shingles; and that proper Hutts ſhall be built for the Negroes within the outward Paliſadoes.

Proportion of Negroes to be raiſed to build the ſame.

III. And in order to cut and clear the ſaid Road, and to build the ſaid defenſible Houſe or Barrack, be it enacted by the Authority aforeſaid, That One hundred and fifty Baggage or Pioneer Negroes be raiſed out of the ſeveral Pariſhes in the *Eaſtern Diviſion* of this Iſland, in Manner and Proportion as hereinafter is directed; that is to ſay, Out of the Pariſh of St. *Thomas in the Eaſt*, Fourteen Negroes; the Pariſh of St. *David*, Five Negroes; the Pariſh of *Kingſton*, Sixteen Negroes; the Pariſh of St. *Andrew*, Twenty ſix Negroes; the Pariſh of St. *Catharine*, Twenty four Negroes; the Pariſh of St. *John*, Eighteen Negroes; the Pariſh of St. *Dorothy*, Nine Negroes; the Pariſh of St. *Thomas in the Vale*, Twenty two Negroes; the Pariſh of St. *Mary*, Eleven Negroes; and the Pariſhes of St. *George* and *Portland*, Five Negroes.

Proviſo.

IV. Provided nevertheleſs, That ſuch Pariſhes having able Baggage Negroes at *Port Antonio*, in the Country's Service, at the Time of paſſing this Act, ſuch Negroes ſhall be continued

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continued at *Port Antonio*, and employed in and during the ſaid Service, and be deemed and allowed as Part of the reſpective Quota's of Negroes, as is herein before directed to be raiſed.

Commanding Officer to ſend a Liſt of the Negroes at *Port Antonio* to the Governor.

V. AND in order to enable the ſaid Pariſhes the better to aſcertain the Baggage or Pioneer Negroes to be raiſed, agreeable to the true Intent and Meaning of this Act, that his excellency be deſired to give Directions to the Officer commanding the Parties in the North-eaſt Parts of this Iſland, to tranſmit to him, without Delay, an exact Liſt of every ſuch able Negro as ſhall be at *Port Antonio*, in the Country's Service, as aforeſaid, diſtinguiſhing the Pariſhes ſent from, and the Proprietor they belong to; as alſo a Liſt of ſuch as have been in the Service, and are diſcharged, or have deſerted: And the reſpective Juſtices and Veſtries of the ſaid ſeveral Pariſhes ſhall be, and they are hereby reſpectively impowered and required, within Twenty Days after ſuch Liſts, as aforeſaid, ſhall be ſent to them by his Excellency the Governor, to raiſe ſuch a Number of able Pioneer Negroes out of each Pariſh, as ſhall to them appear to be wanting to compleat the ſeveral Quota's of Negroes, as herein is before directed; and within Ten Days after they are ſo raiſed, they ſhall be ſent to *Port Antonio*, in ſuch Manner as the Governor, or Commander in Chief ſhall think fit, there to be delivered to the Officer commanding the Parties to be employed, as by this Act is directed; and that three Fourths of the ſaid Negroes ſhall, when the ſaid intended Road is cut, and Barrack built, as aforeſaid, be diſcharged, in order to return to their reſpective Owners; and that the one Fourth of the ſaid Negroes ſo directed to remain and continue in the ſaid Service, ſhall be equally draughted, in Proportion to the Negroes ſent out of each Pariſh.

100 white Men to be draughted out of the Party at *Port Antonio*.

VI. AND that one Hundred effective white Men be draughted out of the preſent Party now at *Port Antonio*, with proper Officers, to protect the Negroes and Workmen whilſt they are cutting the ſaid Road, and building the defenſible Houſe or Barrack, as aforeſaid, and that the reſt or remainder of the Party be forthwith diſcharged from the Country's Service; but in caſe there ſhall not be found of the Parties now in the Country's Service at *Port Antonio*, one hundred effective white Men, as aforeſaid, or that at any Time hereafter, during the Continuance of this Act, there ſhall be wanting, by Deſertion, Death, or otherwiſe, of the ſaid Number, then the Governor, or Commader in Chief, is hereby authorized and impowered to raiſe ſo many as ſhall from time to time be wanting to compleat the ſaid Number of one hundred effective Party-men, Houſe-keepers and Tradeſmen excepted.

Governor to compleat the Independents there.

VII. And alſo, that his Excellency the Governor, or Commander in Chief for the time being, is hereby deſired to compleat the Independents now at *Port Antonio*, to the Number of one hundred effective Men; and when the Party-men and Independents as ſhall appear to be wanting to compleat the ſaid reſpective Numbers, are raiſed, they ſhall be ſent to *Port Antonio* in ſome Veſſel, at the Charge of the Publick; and the ſaid Party-men and Independents are hereby obliged to protect the Settlers at or near the Breaſtwork, and the Negroes, whilſt employed in the Service aforeſaid.

Soldiers, *&c.* in the Barrack, to be ſubject to the Articles of War.

VIII. AND when ſuch Road is cut and cleared, and the defenſible Houſe or Barrack built, as herein before directed, be it enacted by the Authority aforeſaid, That a ſufficient Number of the ſaid Soldiers ſhall be removed and kept at the ſaid Barrack; and that the ſaid One hundred Soldiers, and One hundred white Men, with the Baggage and Pioneer Negroes, ſhall be continued under, and ſubject to the Rules and Articles of War eſtabliſhed in the Time of the laſt Martial Law in this Iſland; which Articles and Rules of War are hereby enacted and declared to be in Force for that Purpoſe.

Penalty on Perſons retailing Rum, *&c.* to the Party-men.

IX. AND whereas the retailing of Rum, and other ſtrong Liquors, to the Party-men at *Port Antonio*, and adjacent Places, has been attended with many Inconveniencies, frequently rendering the Men in the Country's Service incapable of marching, and occaſioning Mutiny, and other Diſorders: For Prevention of which, be it enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall ſell or retail any Rum, or any other ſtrong Liquor, at *Titchfield*, the Breaſtwork, or within Twelve Miles of any Place where the Parties ſhall be employed, under the Penalty of Ten Pounds for every Offence; to be recovered in a ſummary Way, before the *Cuſtos*, Commanding Officer, or next Magiſtrate.

A proper Quantity to be ſent by the Publick.

X. And that what Rum, or other Liquors, may be thought requiſite and convenient for the Uſe of the Parties, be ſent by the Publick to *Port Antonio* for the Country's Uſe, and ſhall be lodged in the Hands of the Commiſſary, and by him or his Deputy be iſſued out, with uſual Allowance for Leakage and Charges, at Half a Pint of Rum a Day to each Party-man or Independent, or other Liquors in Proportion; which Liquors ſo iſſued, ſhall be charged to the Party-men and Independents, at the Price laid in by the Publick, and be deducted out of their Pay.

Pay of the Men.

XI. AND be it further enacted by the Authority aforeſaid, That as an Encouragement to the ſeveral and reſpective Perſons in the Country's Service to diſcharge their Duty, that the Private Men be paid in Caſh (weekly) after the rate of Forty Shillings a Month each, each Captain Ten Pounds *per* Month, each Lieutenant Seven Pounds *per* Month, and each

each Serjeant Four Pounds *per* Month; that the Receiver General remit their Pay to the Commiſſary, at the publick Riſque, out of any Fund or Funds already ariſen, or to be appropriated for the Uſe of Parties. 1733.

XII. And to obviate all Diſputes that may ariſe for want of their being duly paid, or being duly ſupplied with Proviſions, and other Neceſſaries, if the Receiver General ſhould not from time to time have publick Money ſufficient in his Hands for ſuch their Payment and Supply, as aforeſaid, then that he be, and is hereby impowered and required to take all ſuch Money as ſhall be wanting for ſuch their Payment and Supplies up at Intereſt, at the Rate of Twelve Pounds *per Centum per Annum*, giving Receipts for the ſame; and alſo when the ſaid Barrack or defenſible Houſe is built, that the Receiver General do, and he is hereby impowered and required to purchaſe, and ſend to *Port Antonio* four Mules, to carry the Proviſions to the ſaid Barrack, for the Support and Uſe of the ſaid Parties. Receiver General to borrow Money at Intereſt, if there is not ſufficient in his Hands.

XIII. And be it further enacted by the Authority aforeſaid, That the Independents at or near *Port Antonio*, or the Break-worſt, ſo long as they ſhall continue there, ſhall have the uſual Subſiſtence, with an Addition of the Country's Proviſions, which ſhall alſo be allowed them; any thing herein, or in any other Act or Law to the contrary notwithſtanding. Independents to have the uſual Subſiſtence.

XIV. And be it enacted by the Authority aforeſaid, That none of the ſaid Parties ſhall be ſuffered to remain or continue at *Titchfield* longer than when directed by their Officer to guard the Baggage ſent thither for Proviſions and Neceſſaries for the Uſe of the ſaid Parties. None of the Parties to remain at *Titchfield* longer than directed by their Officer.

XV. And be it further enacted by the Authority aforeſaid, That ſuch Magiſtrates or Commanding Officers as ſhall offend contrary to the true Intent and Meaning of this Act, or neglect his or their Duty in any thing therein contained, ſhall reſpectively forfeit the Sum of Fifty Pounds; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information; wherein no Injunction, Imparlance, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* entered; the one Half of all which Forfeitures ſhall be to the Informer, or him, her, or them who ſhall proſecute for the ſame; and the other Half to the Uſe of Parties. Penalty on Magiſtrates, &c. offending againſt this Act.

XVI. And be it further enacted by the Authority aforeſaid, That the ſaid Parties ſhall continue in the ſaid Service for the Space of twelve Months, and no longer; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Parties to continue twelve Months in the Service.

An Act to prevent the making, throwing, or firing off Squibs, Serpents, Rockets, or other Fireworks. № 339.

WHEREAS the throwing, making, or firing off Squibs, Serpents, Rockets, or other Fireworks, is frequently practiſed, notwithſtanding a Law made for the Prevention of the Sale of Gunpowder; which, if not timely prevented, may be very prejudicial to the Publick, by ſupplying Negroes with Gunpowder, and endanger the burning the Houſes in the reſpective Towns of this Iſland, they being generally covered with Northern Shingles: For Remedy whereof, may it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That if any white Perſon or Perſons ſhall from and after the Twelfth Day of this inſtant Month of *November*, in the Year of our Lord One thouſand ſeven hundred and thirty three, make, throw, or fire off any Squibs, Serpents, Rockets, or other Fireworks, in any Street, Lane, or Alley, within the three Towns of St. *Jago de la Vega*, *Kingſton*, or *Port Royal*, or in any Pariſh of this Iſland; every ſuch Perſon ſo offending, ſhall forfeit the Sum of Ten Pounds, or be whipped at the publick Whipping-place of the Pariſh where ſuch Offence ſhall be committed, for every ſuch Squib, Serpent, Rocket, or other Firework by him, her, or them ſo made, thrown, or fired off; to be recovered before any Juſtice of the Peace of the Pariſh or Precinct wherein ſuch Offence ſhall be committed: One Half of which Fofeitures ſhall be to the Uſe of the Informer, and the other to the Church-wardens of each Pariſh wherein ſuch Offence ſhall be committed, for the time being, to and for the Uſe of the Poor of the ſaid Pariſh, or whatever other charitable Uſe the Juſtices and Veſtry of the ſaid Pariſh, in which ſuch Squib, Serpent, Rocket, or other Firework ſhall be made, thrown, or fired off, ſhall think fit. White Perſons throwing Squibs, &c. to forfeit 10 *l.* or be whipped.

II. And in caſe any Mulatto, *Indian*, or Negro ſhall, from and after the ſaid Twelfth Day of *November* Inſtant, preſume to make, uſe, throw, or fire off any Squib, Serpent, Rocket, or other Firework, within the ſaid Towns, or any of the Pariſhes of this Iſland; then every Conſtable and Tythingman within this Iſland ſhall be, and they are hereby directed and required immediately to apprehend and take up ſuch Mulatto, *Indian*, or Negro Negroes, &c. to be whipped.

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gro ſo offending, and him, her, or them, when ſo apprehended, to carry before the next Magiſtrate, who is hereby required and directed to order ſuch Offender to be whipped at the moſt publick Place in the reſpective Pariſhes, on the bare Back, at his Diſcretion, any Number of Laſhes not exceeding Thirty nine.

Penalty on Magiſtrate, &c. neglecting his Duty;

III. AND in caſe any Magiſtrate, Conſtable, or Tythingman ſhall neglect or refuſe to perform his or their Duty therein; then every ſuch Magiſtrate, Conſtable, or Tythingman ſhall, for every ſuch Offence, reſpectively forfeit the Sum of Twenty Pounds; to be recovered in any Court of Record in this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Injunction, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* entered; one Half of which Forfeiture ſhall be to the Informer, and the other to the Church-wardens for the time being of the Pariſh where ſuch Offence ſhall be committed; for the Uſe of the Poor of the Pariſh in which ſuch Forfeiture ſhall ariſe; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

and on Perſons encouraging Negroes to make Fireworks.

IV. AND be it it further enacted by the Authority aforeſaid, That in caſe any Perſon ſhall encourage or direct any Negro, *Indian*, or Mulatto, to make, throw, or fire off any Squibs, Serpents, Rockets, or other Fireworks; then every ſuch Perſon ſo giving any ſuch Encouragement or Direction, ſhall reſpectively be ſubject and liable to all ſuch Pains and Penalties, as any white Perſon who ſhall make, throw, or fire any Squibs, Serpents, Rockets, or other Fireworks, is, are, or may be liable or ſubject to by this Act; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

№ 340. Private. *An Act to eſtabliſh, confirm, and ſecure the Right and Title of* John Stewart *Eſq; to a Houſe in the Town of St.* Jago de la Vega, *in the Pariſh of St.* Catharine, *commonly called the* Fort-houſe, *with certain Lands thereunto belonging and joining.*

№ 341. Expired. *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.*

№ 342. Expired. *An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes for ſubſiſting the Officers and Soldiers of the two Independent Companies; and preventing the Exportatation of ſeveral Commodities into the* French *and* Spaniſh *Iſlands.*

№ 343. Private. *An Act for the Encouragement of* Hugh King, *of the Pariſh of* Weſtmoreland, *in the Iſland of* Jamaica *aforeſaid, Millwright,*

№ 344. Expired. *An Act for raiſing of Money and applying the ſame to the Uſe of Parties, to be ſent out to reduce the rebellious Negroes.*

№ 345. Private. *An Act for appointing* John Sharpe, *of the* Middle Temple, London, *Eſq; Agent in* Great Britain, *to ſolicite the paſſing of Laws, and other the publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.*

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An Act for the Relief of ſuch Perſons as have been over-aſſeſſed, or wrongfully charged in the Arrearage Rolls, iſſued by virtue of an Act, intituled, An Act for the more ſpeedy and effectual collecting the Publick and Parochial out-ſtanding Debts, and for ſuſpending the Execution of the ſaid Act for a certain Time. № 346. Expired.

An Act for cutting of Roads, and building Barracks in the Eaſtern Diviſion of this Iſland; and for raiſing and fitting out of Parties, for the more ſpeedy and effectual ſuppreſſing the rebellious and runaway Negroes. № 347. Expired.

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An Act for the further Encouragement of Parties, and more ſpeedy Reduction of rebellious and runaway Slaves. № 348. Expired.

An Act for the more ſpeedy cutting of Roads, and building Barracks in the Eaſtern Diviſion; and for the Reception of the Troops expected. № 349. Expired.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; and for ſubſiſting the Officers and Soldiers of the Six Independent Companies expected. № 350. Expired.

An Act to veſt Lands in Port Royal *in his Majeſty, his Heirs, and Succeſſors, for the Uſe of his Ships of War.* № 351.

WHEREAS the Town of *Port Royal* hath, by long Experience, been found to be of great Importance to this Iſland, in regard to its convenient Situation, the Goodneſs and natural Advantages of the Harbour, as well as to its Strength and Security from his Majeſty's Fortifications: And whereas the ſaid Town and Harbour may be rendered more uſeful and commodious, if Conveniencies were erected thereon, for careening of Ships, and ſuch other Buildings as may be thought proper and neceſſary for the Service of his Majeſty's Ships of War: And whereas it is requiſite, in order thereunto, that the Land at the North-eaſt End of *Port Royal*, deſcribed by the Plat hereunto annexed, or ſo much of it as ſhall be thought neceſſary by Sir *Chaloner Ogle*, Commander in Chief of his Majeſty's Ships, ſhould be veſted in your Majeſty, your Heirs, and Succeſſors, for the Uſes aforeſaid, Part of which may be the Eſtates of Infants, Feme Coverts, or other Perſons who by Law are diſabled to make any Contracts or Conveyances; in all which Caſes, as likewiſe where any Proprietors, intending either to obſtruct the Publick Service, or to make unreaſonable Gain to themſelves, inſiſt on extravagant Prices and Rates, it will be neceſſary to have Recourſe to the uſual Methods that have been taken in like Caſes: May it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That it ſhall be lawful to and for his Honour the Preſident, or the Commander in Chief for the time being, and his Honour the Preſident, or Commander in Chief for the time being, is hereby authorized, impowered, and required, under the Broad Seal of the Iſland, to authorize and appoint any Three or more of his Majeſty's Council of this Iſland, together with any Five of the Repreſentatives of the preſent Aſſembly for the Pariſhes of St. *Catharine*, *Port Royal*, *Kingſton*, and St. *Andrew*, or any Five of the ſaid Commiſſioners, whereof Two to be of the

The Preſident to appoint Commiſſioners to deſcribe Lands for the Uſe of his Majeſty

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the Council, to make Surveys of Land, and particularly deſcribe ſuch Lands, Tenements, or Hereditaments within the ſaid Parcel of Land deſcribed by the ſaid Plat, as are proper to be purchaſed for the Uſes and Purpoſes aforeſaid.

Commiſſioners to treat with the Owners of Lands, &c.

II. AND to the Intent that all due Encouragement and Expedition may be given unto ſo neceſſary a Work, and that all Impediments and Obſtructions may be removed, and reaſonable Satisfaction may be given for all ſuch Lands, Tenements, Hereditaments, and Shoal Water as ſhall be thought convenient to be taken and employed, or purchaſed for the Uſes aforeſaid; the ſaid Commiſſioners, or any Five of them, whereof Two to be of the Council, are hereby authorized to treat and agree with the Owners, and others intereſted in any ſuch Lands, Tenements, Hereditaments, or Shoal Water.

In caſe of Refuſal or Diſability in the Owners, Commiſſioners to impannel a Jury to enquire into the Value of ſuch Lands, &c.

III. AND in caſe any Perſon or Perſons ſhall wilfully decline, or refuſe to treat and agree, as aforeſaid, or through any Diſability, by Nonage, Coverture, or by reaſon of any other Impediment, cannot diſpoſe of their reſpective Intereſts in ſuch Lands, Tenements, Hereditaments, or Shoal Water; in every ſuch Caſe the ſaid Commiſſioners, or any Five of them, whereof Two to be of the Council, are hereby authorized and required to iſſue forth their Warrant or Warrants, on or before the Tenth Day of *November* next, to the Provoſt-marſhal, to impannel and return before the ſaid Commiſſioners, or any Five of them, whereof Two to be of the Council, at ſuch Times and Places as ſhall be appointed in ſuch Warrant or Warrants, a ſufficient Jury, who, upon their Oaths (which the ſaid Commiſſioners, or any Five of them, whereof Two to be of the Council, are hereby impowered to adminiſter) ſhall enquire into the true Value of all ſuch Lands, Tenements, or Hereditaments within the Deſcription of the ſaid Plat, and ſuch Shoal Water as may be requiſite, as the ſaid Commiſſioners, or any Five of them, whereof Two to be of the Council, ſhall think requiſite to be purchaſed for the Purpoſes aforeſaid, and give their Verdict or Inquiſition thereof to the ſaid Provoſt-marſhal, who is hereby required to return and certify the ſame under his and their Hands into his Majeſty's Court of Chancery of this Iſland, on or before the Firſt Day of *December* next, there to be recorded, under the Penalty of One hundred Pounds; which ſaid Valuation ſo returned and recorded, ſhall be final and concluſive to and againſt all Perſons whatſoever.

Proviſo.

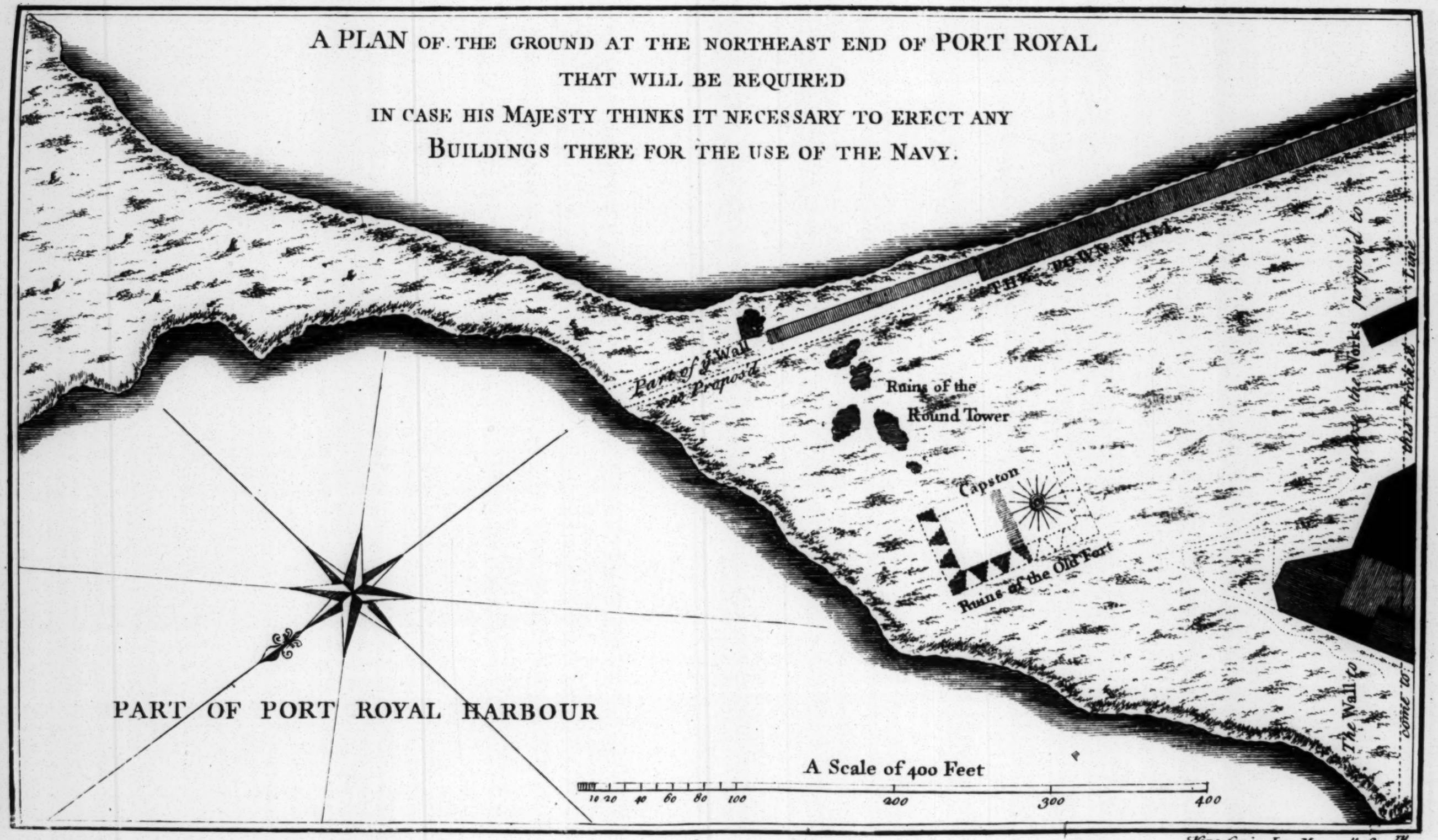
IV. PROVIDED nevertheleſs, and to the Intent that all and ſingular the Proprietors aforeſaid may be paid for their reſpective Eſtates and Intereſts, all and every Sums of Money as have been agreed for, or aſſeſſed upon Oath, as aforeſaid; it is hereby directed, That the ſaid Valuation upon Oath, with the Names of the reſpective Proprietors, be laid before Sir *Chaloner Ogle*, or the Commander in Chief of his Majeſty's Ships here for the time being, in order that each reſpective Proprietor may obtain Compenſation for the ſame; and that immediately upon ſatisfying ſuch reſpective Proprietors, the ſaid Lands and Shoal Water ſo allotted, ſhall for ever afterwards be, and are hereby declared to be abſolutely veſted in his Majeſty, his Heirs, and Succeſſors, to the Uſes and Purpoſes aforeſaid; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

250*l.* to be paid to Sir *Chaloner Ogle*, to be applied to the Payment of Proprietors for their Eſtates, &c.

V. AND in order to enable Sir *Chaloner Ogle* the better to make ſuch Compenſation to each reſpective Proprietor, be it enacted by the Authority aforeſaid, That the Receiver General do immediately pay into his Hands the Sum of Two hundred and fifty Pounds, to be by him applied to the Purpoſes aforeſaid.

A PLAN

A PLAN OF THE GROUND AT THE NORTHEAST END OF PORT ROYAL
THAT WILL BE REQUIRED
IN CASE HIS MAJESTY THINKS IT NECESSARY TO ERECT ANY
BUILDINGS THERE FOR THE USE OF THE NAVY.



Vera Copia Jos. Maxwell Sc.ty

1734. Nº 352. Expired. *An Act for appointing and placing a proper Guard or Guards in the* Weſtern Diviſion *of this Iſland, in order to ſecure and protect the remote and expoſed Settlements thereof.*

Nº 353. Expired. *An Act for putting this Iſland under Martial Law, for any Time not exceeding Six Months; for impowering the Civil Magiſtrates, and other Officers of the reſpective Pariſhes in this Iſland, during the Time of Martial Law, to levy, aſſeſs, and collect, as well all Publick Debts, as Parochial Taxes, for keeping the Highways in repair; impowering the Receiver General to borrow Money at intereſt; and for obliging the Provoſt-marſhal to ſell Slaves, and other Effects now in his Cuſtody, in a prefixed Time.*

Nº 354. Expired. *An Act to explain ſome Part of an Act, intituled,* An Act for putting this Iſland under Martial Law, for any Time not exceeding Six Months; for impowering the Civil Magiſtrates, and other Officers of the reſpective Pariſhes in this Iſland, during the Time of Martial Law, to levy, aſſeſs, and collect, as well all Publick Debts, as Parochial Taxes, for keeping the Highways in Repair; impowering the Receiver General to borrow Money at Intereſt; and for obliging the Provoſt-marſhal to ſell Slaves, and other Effects now in his Cuſtody, in a prefixed Time; *paſſed this Seſſion of Aſſembly.*

Nº 355. Expired. *An Act for enabling* Elizabeth Hall, *of the Pariſh of St.* Andrew, *Widow, Executrix of the laſt Will and Teſtament of* James Hall, *late of the ſaid Pariſh, Eſquire, deceaſed, to ſell and diſpoſe of a certain Parcel of Land in the ſaid Pariſh, lately belonging to him the ſaid* James Hall, *for the Payment of his Debts.*

Nº 356. Expired. *An Act for the Encouragement of good and able Men to march from the Barracks againſt the rebellious Negroes, during Martial Law; and for making Satiſfaction to ſuch Perſons as may loſe any Slaves in any Engagement or March after the rebellious Negroes; and for providing for the Sick and Wounded.*

An

An Act to oblige Jaſper Aſhworth *Eſquire, late Commiſſary, to account; and for the removing him from his Place of Commiſſary.*

1734. № 357. Expired.

An Act for impoſing a Duty on all Rum, and other Spirits or ſtrong Waters retailed in this Iſland, and for applying the ſame to ſeveral Uſes.

1735. № 358. Expired.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the Eight Independent Companies; and preventing the Exportation of ſeveral Commodities into the French *and* Spaniſh *Iſlands.*

№ 359. Expired.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

№ 360. Expired.

An Act for putting this Iſland under Martial Law, for any Time not exceeding Three Months; for impowering the Civil Magiſtrates, and other Officers of the reſpective Pariſhes in this Iſland, during the Time of Martial Law, to levy, aſſeſs, and collect, as well all Publick Debts, as Parochial Taxes, for keeping the Highways in Repair; impowering the Receiver General to borrow Money at Intereſt; and for obliging the Provoſt-marſhal to ſell Slaves, and other Effects now in his Cuſtody, in a prefixed Time.

№ 361. Expired.

An Act for the enabling Mary Howell, *of the Pariſh of St.* Catharine *in the ſaid Iſland, Widow, Executrix of the laſt Will and Teſtament of* Samuel Howell, *late of the ſame Pariſh, Planter, deceaſed, to ſell and diſpoſe of divers Meſſuages, Lands, Tenements, Slaves, and Perſonal Eſtate, late belonging to him the ſaid* Samuel Howell, *for the Payment of his Debts.*

№ 362. Expired.

1735. No 363.

An Act for the more effectual directing the Marſhal's Proceedings, and regulating thereof.

WHEREAS many and great Abuſes have been introduced in the Execution of the Office of Provoſt-marſhal of this Iſland, and many exorbitant Fees have been demanded and taken, contrary to the Laws of this Iſland, or not warranted by any Laws now in Force; and more particular, there has been demanded and taken for Mile-money, in the Service of Writs of Summons, Arreſts, and other Proceſs, much more than the Law directs; and for Bail-bonds taken upon Arreſts, Writs of Attachment, Writs of *Ne exeat Inſula*, and other Writs: And of late, when Negroes, Cattle, and other Things have been advertiſed to be ſold, there has been inſerted a *Nota bene*, That the Provoſt-marſhal will not warrant the Titles; whereby ſuch Negroes, Cattle, and other Things, have been ſold for much leſs than their Value, and oftentimes have remained in Cuſtody for want of Buyers; and thereby, and by ſecond and clandeſtine Sales, the Creditor has been delayed and injured, and the Debtor has been utterly ruined: And it hath often happened, that Levies are returned upon Writs of Execution, and no Notice given thereof to the Defendants; and ſometimes Levies have been returned by the Deputy-marſhals, when in Fact they never had Precepts to enable them ſo to do; and it hath long been the Practice of Perſons in the ſaid Office, when Writs of *Venditioni exponas* have been lodged, and but a ſmall Part of the Debt levied or received, that the whole Fees are charged and detained, though no more ought ſo to be, than in Proportion to what is ſo received and paid to the Plaintiffs; and it hath alſo happened, that by the Provoſt-marſhal's having it in his Power to open his Office in the Morning of the Day when Writs of Executions are or may be firſt lodged with him after each Court, that oftentimes undue Preference hath been given, and ſome Perſons have thereby received their whole Debts, and others have been Loſers of the whole, or the greateſt Part of their Debts: For the preventing of which Abuſes, be it enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That

Provoſt-marſhal's Fees for Writs limited,

no Provoſt-marſhal ſhall for the future demand or take for the Service of Writs of Summons, Arreſts, *Scire facias*, Replevin, or other Proceſs whatſoever, more than Three Pence *per* Mile, which is allowed by an Act, intituled, *An Act for regulating Fees*; unleſs in ſuch Caſes where the ſaid Act hath otherwiſe allowed.

and aſcertained.

II. AND in order to aſcertain the ſame, and the reſpective Diſtances of the ſeveral Pariſhes from the Town of St. *Jago de la Vega*, be it further enacted by the Authority aforeſaid, That the Provoſt-marſhal of this Iſland ſhall be allowed for Mile-money at and after the ſeveral and reſpective Rates following, to wit, For all Writs of Summons, Arreſts, *Scire facias*, Replevin, or other Proceſs whatſoever, in the ſeveral Pariſhes of this Iſland, to wit, in the Pariſh of St. *Catharine*, Nine Pence; in the Pariſh of St. *Dorothy*, Two Shillings and Nine Pence; in the Pariſh of *Clarendon*, Seven Shillings and Nine Pence; in the Pariſh of *Vere*, Seven Shillings; in the Pariſh of St. *Elizabeth*, Seventeen Shillings and Six Pence; in the Pariſh of *Weſtmorland*, One Pound Eleven Shillings and Three Pence; in the Pariſh of *Hanover*, One Pound Eleven Shillings and Six Pence; in the Pariſh of St. *John*, Three Shillings; in the Pariſh of St. *Thomas in the Vale*, Four Shillings; in the Pariſh of St. *Anne*, Eleven Shillings and Six Pence; in the Pariſh of St. *James*, One Pound; in the Pariſh of St. *Mary*, Eight Shillings and Nine Pence; in the Pariſh of *Port Royal*, Three Shillings; in the Pariſh of *Kingſton*, Four Shillings and Six Pence; in the Pariſh of St. *David*, Nine Shillings and Three Pence; in the Pariſh of St. *Thomas in the Eaſt*, Sixteen Shillings; in the Pariſh of St. *Andrew*, Four Shillings; in the Pariſh of St. *George*, Eleven Shillings and Nine Pence; and in the Pariſh of *Portland*, Fifteen Shillings and Three Pence, beſides Two Shillings and Six Pence for ſerving each Writ, allowed by the ſaid Act, intituled, *An Act for regulating Fees*, and no more; and the Judges of the ſaid ſupreme Court, and other the Officers of the ſame, are required to take Notice thereof, and conform thereunto; any thing in the ſaid Act, or in any other Act to the contrary in any wiſe notwithſtanding.

Other Regulations concerning Fees.

III. AND be it alſo enacted by the Authority aforeſaid, That for the future no Provoſt-marſhal, or his Deputy or Deputies, or any other Perſon or Perſons for him, or to his Uſe, ſhall take for a Bail-bond on any Writ of Arreſt, Attachment, or other Proceſs of Contempt out of the ſaid ſupreme Court, or the Court of Chancery, or for a Replevin-bond, more than Five Shillings; and for the executing a Writ of *Ne exeat Inſula*, more than Ten Shillings; and Mile-money, at the Rate aforeſaid; and for a Bond taken thereon, more than Five Shillings; and for the executing a Bench-warrant granted by the ſaid Court, or the Juſtices of the Peace at their Quarter-ſeſſions, more than Ten Shillings; and Mile-money, at and after the Rate of Twelve Pence *per* Mile; and for every other Warrant, granted by one of the Judges, or a Juſtice of the Peace, more than Ten Shillings; and Mile-money, as aforeſaid.

IV. AND

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IV. AND for the preventing the Miſchief and Abuſes which have aroſe by the Provoſt-marſhal, or his Deputy's inſerting a *Nota bene* againſt his warranting the Title of the Negroes, or other Effects to be diſpoſed of, in their Advertiſements for the Sale of Negroes, Cattle, and other things; be it enacted, That for the future the Provoſt-marſhal, or his Deputy or Deputies, do not inſert any ſuch *Nota bene*, or any thing to that or the like Effect.

No *Nota bene* to be inſerted in the Warrants of Sale.

V. AND be it further enacted by the Authority aforeſaid, That when any Levy or Levies are made upon any Writ or Writs of Execution, the Provoſt-marſhal, or his Deputy or Deputies, do give Notice to the Defendant or Defendants, or ſome of them, or his or their Attorney or Attornies, or leave or ſend a Notice in Writing at his or their uſual Place of Abode, of ſuch Levy or Levies being made, and at whoſe Suit or Suits; and that for the future the Provoſt-marſhal, or his Deputy or Deputies, do not demand or take any Fees whatſoever upon ſuch Levy or Levies being returned on Writs of Execution, until the Debt, or Sum due on ſuch Execution, be paid or ſatisfied to the Plaintiff or Plaintiffs, or in Proportion to ſuch Part of the Debt or Sum which ſhall be ſo paid, ſatisfied, or diſcharged.

Notice of Levies to be given to the Defendants, &c.

VI. AND for the preventing the Abuſes which have often been committed by the Provoſt-marſhal, or thoſe intruſted by him, in the taking in and entering Writs of Execution on the firſt Day, when they may be lodged, after each Supreme Court; be it further enacted, That the Provoſt-marſhal ſhall open his Office at Seven of the Clock in the Morning of that Day, and not before, and continue the ſame open till Eleven; and that no Fraction ſhall be made in the Hour from Seven to Eight, but that all Writs of Execution lodged in that Time, ſhall equally bind and affect the Property of the Defendants.

Office to be open from 7 to 11 in the Morning.

VII. AND for the future, no Writ of Execution which hath been already lodged in the ſaid Office, and no Proceedings had thereon, nor ſhall be had thereon for one whole Year, the Time of Martial Law not to be computed, after the paſſing of this Act; and no Writ of Execution hereafter to be lodged, which ſhall lie dormant, and no Proceedings ſhall be had thereon for the Space of one Year, the Time of Martial Law not to be computed, from the Return of ſuch Execution, ſhall have any Force or Effect againſt any other Creditor or Creditors, who have lodged, or ſhall hereafter lodge, any other Writ or Writs of Execution, and have proceeded, or ſhall proceed thereon, to have the Benefit and Effect of the ſame.

Writs not proceeded on within a Year not to affect others executed within that Time.

VIII. PROVIDED always, and it is hereby further enacted by the Authority aforeſaid, That upon all and every Writ or Writs of *Venditioni* hereafter to be iſſued, no more of the Negroes or Effects of the Defendant or Defendants therein named ſhall be ſold or diſpoſed of, than ſuch or ſo many as is or are neceſſary to, or will really and *bona fide* pay and ſatisfy the reſpective Debts, Coſts, and Fees due upon ſuch Writ or Writs of *Venditioni*: And if it ſhall be found neceſſary to ſell Negroes, or other Effects, exceeding the Amount of the Debt and Coſts for which ſuch Writ or Writs of *Venditioni* iſſued; that then, and in every ſuch Caſe, the Provoſt-marſhal, or his Deputy or Deputies, ſhall return the Overplus to the Owner or Owners of ſuch Negroes or Effects, and that within ten Days next after the Sale thereof, if demanded.

No more Effects to be ſold, than will pay Debts, &c.

IX. AND be it further enacted by the Authority aforeſaid, That on all Returns to Executions hereafter to be made, the Particulars on which any Levy ſhall be made, ſhall be deſcribed; and that the ſaid Provoſt-marſhal do return and file, in the Clerk's Office of the Supreme Court of Judicature of this Iſland, all ſuch Writs and other Proceſs as ſhall be to him directed, in Eight Days from the meeting of every ſuch Court; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Particulars of Levies to be deſcribed in all Returns, &c.

X. AND be it further enacted by the Authority aforeſaid, That whenever hereafter any Slave or Slaves, taken on any ſuch Writ or Writs of *Venditioni*, ſhall be expoſed to Sale, the Provoſt-marſhal, and his Deputies reſpectively, ſhall ſell all ſuch Slaves ſingly, unleſs in caſe of Families; in which Caſe, and no other, the ſaid Provoſt-marſhal, or any of his Deputies, may ſet up to Sale ſuch Family or Families, conſiſting of a Man and his Wife, his, her, or their Children: And that whenever any working Cattle, taken on any *Venditioni* or *Venditioni's*, ſhall be expoſed to Sale, the Provoſt-marſhal, and his Deputies reſpectively, ſhall ſell ſuch working Cattle by the Yoke or Couple, if ſo many are neceſſary to be ſold; and that all other neat Cattle, Horſes, Mares, and Mules, ſhall be ſold ſingly.

Directions concerning Slaves and Cattle.

XI. AND be it further enacted by the Authority aforeſaid, That whenever hereafter any Two or more Executions of *Venditioni's* ſhall be lodged in the Provoſt-marſhal's Office, either againſt the Principal and his Securities, or any others, for one and the ſame Debt, no more Poundage Fees ſhall be demanded or received by the Provoſt-marſhal, or any of his Deputies, than for the real Debt and Coſts then due on ſuch Executions or *Venditioni's* which ſhall be lodged for one and the ſame Debt, as aforeſaid.

No more Fees to be paid than for the real Debt and Coſts.

XII. AND be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, the Provoſt-marſhal ſhall not execute or take into his Office, or ſuffer

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to be lodged there, any Wr
to the Plaintiff, at whoſe Su
ſaid Writ by the ſaid Plaint
Uſage to the contrary in any

Writs to be indorſed.

XIII. And in caſe any
dorſe, or order his ſaid Clerk
in Court, or Attorney himſe
mark or indorſe ſuch Writ fo
tiff, or his ſaid Clerk in Co
the Sum of One hundred P
as aforeſaid, ſhall be rendere
contrary notwithſtanding.

Penalty on indorſing more than the real Sum.

A Deputy-marſhal to be in each Precinct.

XIV. And be it further
ſhall be obliged, and he is h
ſufficient Perſon to act as D
of the ſaid Precinct, in ord
within ſuch Precinct, and a
to him by any Judge or Juſti

Runaway Slaves to be advertiſed, &c.

XV. And be it further
paſſing of this Act, all Dep
de la Vega, *Port Royal*, and
of all runaway Slaves that
with the Names, Marks, an
reſpectively belong, under
Charge of ſuch Advertiſem
Proprietor of ſuch Slave or
advertiſed; and that ſuch
times ſucceſſively; and tha
the Maintenance of ſuch Ne
demand or take any Fee o
any other Account.

Receipts of ſeized Goods to be given to Defendants.

XVI. And to prevent a
the Negro or other Slaves,
enacted by the Authority
and every Defendant or D
Behalf of any Defendant, a
every particular Negro or
ſhall at any time hereafter
of *Venditioni*, or any other

Goods, &c. taken in Execution, to be ſold within 14 Days.

XVII. And whereas the
in Cuſtody on Writs of *Ve*
have been found very detrim
the Charges of the Deputy-
Maintenance of ſuch Slaves
Part of their Value: For th
live Stock, and preventing
thority aforeſaid, That from
Horſes, Mares, Mules, and
Writ of *Venditioni exponas*,
Cattle, Horſes, Mares, Mu
lick Notice of the Time and
lick Place of the Pariſh or
the Act, intituled, *An Act*
in the Act, intituled, *A Supp*
or Uſage to the contrary no

Summons's to be delivered to the Inhabitants of *Port Royal*, 14 Days before the Court.

XVIII. And whereas by
recting the Marſhal's Proce
be delivered Ten Days befo
Service, and the Defendant
equal Notice of ſuch Proceſs
other Pariſhes in this Iſland
aforeſaid, That for the futu
dicature againſt any Perſo
Fourteen Days before each
Iſland, otherwiſe the ſame
Act, Law, Cuſtom, or Uſa

here, any Writ of Execution or *Venditioni exponas*, unleſs the Sum really due
f, at whoſe Suit ſuch Writ ſhall iſſue, ſhall be marked or indorſed on the
the ſaid Plaintiff, or his Clerk in Court, or Attorney; any Law, Cuſtom, or
contrary in any wiſe notwithſtanding.

o in caſe any Plaintiff, in order to diſtreſs the Defendant, ſhall mark or in-
r his ſaid Clerk in Court, or Attorney, to mark or indorſe, or the ſaid Clerk
Attorney himſelf, ſhall officiouſly, or without any Orders from the Plaintiff,
ſe ſuch Writ for a greater Sum than is or ſhall be really due; that ſuch Plain-
d Clerk in Court, or Attorney, ſhall for every Offence reſpectively forfeit
One hundred Pounds; and the ſaid Clerk in Court, or Attorney, offending
hall be rendered incapable of practiſing; any Law, Cuſtom, or Uſage to the
ithſtanding.

o be it further enacted by the Authority aforeſaid, That the Provoſt-marſhal
ed, and he is hereby required to keep in each Precinct within this Iſland, a
on to act as Deputy-marſhal, who ſhall reſide in the moſt convenient Place
recinct, in order to receive all ſuch Priſoners as ſhall be committed to him
Precinct, and alſo to execute all ſuch Writs and Precepts as ſhall be directed
Judge or Juſtice of the Peace of ſuch Precinct.

be it further enacted by the Authority aforeſaid, That from and after the
s Act, all Deputy-marſhals and Gaol-keepers in the three Towns of *St. Jago*
rt Royal, and *Kingſton*, in this Iſland, do weekly publiſh in the *Courant* a Liſt
y Slaves that ſhall hereafter be in any of the Gaols in the ſaid three Towns,
nes, Marks, and Times of their coming in, their Offences, and to whom they
belong, under the Penalty of Fifty Pounds for each Offence; and that the
ch Advertiſement be allowed to the Provoſt-marſhal, or his Deputy, by the
ſuch Slave or Slaves, not exceeding Fifteen Pence for each Negro or Slave ſo
nd that ſuch Advertiſement ſhall be publiſhed in the ſaid *Courant* three
vely; and that ſuch Deputy-marſhal or Gaoler ſhall charge and receive for
ance of ſuch Negro or Slave Sixpence *per* Day, and no more, and ſhall not
take any Fee or Reward, under Pretence of Commitment or Releaſement, or
count.

D to prevent all Marſhals from embeziling or converting to their own Uſe
r other Slaves, or other Goods or Chattels of any Defendant, be it further
the Authority aforeſaid, That all Marſhals do, upon all Seizures, give to all
Defendant or Defendants, or to any Perſon or Perſons demanding the ſame in
y Defendant, a Receipt, containing a particular, full, and exact Account of
ular Negro or other Slave, or Goods, Chattels, or other Things, which they
ime hereafter ſeize or take into their Cuſtody by virtue of any Writ or Writs
or any other Writ or Proceſs whatſoever.

ND whereas the keeping of Slaves, Horſes, Cattle, and other live Stock, taken
on Writs of *Veditioni exponas*, for a conſiderable Time before the Sale thereof,
and very detrimental, as well to the reſpective Owners, as to their Creditors;
of the Deputy-marſhals for keeping the ſame in their Cuſtody, and for the
of ſuch Slaves, Horſes, Cattle, and live Stock, frequently ariſing to great
r Value: For the more ſpeedy Sale of ſuch Slaves, Horſes, Cattle, and other
and preventing ſuch Charges for the future, be it further enacted by the Au-
ſaid, That from and after the paſſing of this Act, all Slaves, neat Cattle,
es, Mules, and other live Stock whatſoever, which ſhall be taken on any
ditioni exponas, ſhall be ſold within Fourteen Days after any ſuch Slaves, neat
s, Mares, Mules, and live Stock ſhall be taken on any ſuch Writ, pub-
f the Time and Place of every ſuch Sale being firſt fixed up in the moſt pub-
the Pariſh or Precinct Five Days before any ſuch Sale made; any thing in
tuled, *An Act for eſtabliſhing Courts, and directing the Marſhal's Proceedings*, or
ntituled, *A Supplemental and Explanatory Act*, or any other Act, Law, Cuſtom,
the contrary notwithſtanding.

AND whereas by the ſaid Act, intituled, *An Act for eſtabliſhing Courts, and di-
Marſhal's Proceedings*, it is enacted, That at *Port Royal* all Summons's ſhould
Ten Days before the Courts, otherwiſe they ſhould be deemed and taken as no
the Defendants not bound thereby to appear; whereby that Pariſh hath not
of ſuch Proceſs againſt them out of the Supreme Court of Judicature with the
es in this Iſland: For Remedy whereof, be it further enacted by the Authority
hat for the future all Summons's iſſuing out of the ſaid Supreme Court of Ju-
inſt any Perſon or Perſons in the Pariſh of *Port Royal*, ſhall be delivered
ys before each Supreme Court of Judicature, as in the other Pariſhes of this
wiſe the ſame ſhall not be allowed ſufficient Service; the ſaid Act, or any other
Cuſtom, or Uſage to the contrary notwithſtanding.

XIX. AND

1735.

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№ 367. Expired. *An*

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Lands re-invested in his Majesty, to be regranted to new Comers.

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An Act for the more effectual collecting the ſeveral Debts due on account of Deficiency and Poll Taxes, and all other publick and parochial Debts.

An Act for the better ſettling and ſecuring the Iſland, and veſting ſeveral Parcels of Land in the Crown; and for building of Barracks, and fitting out of Parties for the reducing the rebellious Negroes, and cutting of Roads.

An Act for enlarging, widening, and repairing the Road to Sixteen Mile Walk.

An Act for appointing John Sharp *of the* Middle Temple, London, *Eſq; Agent in* Great Britain, *to ſolicite the paſſing of Laws, and other the publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.*

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes, for ſubſiſting the Officers and Soldiers of the two Independent Companies; and preventing the Exportation of ſeveral Commodities into the French *and* Spaniſh *Iſlands.*

An Act for the Eaſe and Relief of the Inhabitants of this Iſland, in building Barracks, and Remedying and ſupplying ſome Defects and Omiſſions in the late Barracking Law.

An Act for introducing of white People in this Iſland, for ſubſiſting them for a certain Time, and providing them with Land, that they may become Settlers.

WHEREAS nothing can conduce more to the Security, Wealth, and Defence of this Iſland than the giving proper Encouragement to white People to come over and ſettle the uncultivated Lands thereof: And whereas there are large and valuable Tracts of uncultivated Land where the Barracks are to be built, at or near *Manchioneil* Harbour, and at or near *Norman*'s Valley; which, if ſettled, would be of great Security to thoſe Parts of the Country, as well as the Iſland in general: We, your Majeſty's moſt dutiful and loyal Subjects, do beſeech your Majeſty that it may be enacted; be it therefore enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That Fifteen thouſand Acres of Land, at or near *Manchioneil* Harbour, and alſo Fifteen thouſand Acres of Land, at or near *Norman*'s Valley, be and are hereby re-inveſted in his Majeſty, his Heirs and Succeſſors, to be re-granted for the Uſe and Benefit of new Comers only, excluſive of, and over and above the Lands already veſted or to be veſted in his Majeſty, his Heirs and Succeſſors, by an Act,

Act, intituled, *An Act for the Eaſe and Relief of the Inhabitants of this Iſla Barracks, and remedying and ſupplying ſome Defects and Omiſſions in the late Bar*

II. And for the better Encouragement of ſuch new Comers to tranſp and Families, and to become Settlers in thoſe Parts, be it enacted by the A ſaid, That the Paſſage of ſuch new Comers, who come with Intent to ſett the ſaid Lands, be advanced and paid by the Receiver General upon their A the Paſſage of all ſuch Slaves as each new Comer ſhall bring with him, Twenty; but that the Paſſage of any Number exceeding Twenty, ſhall be reſpective Owners.

III. Provided, That ſuch new Comers take the following Oath:

I A. B. *do ſwear, That my Deſign and Intention of coming to this Iſland is to upon the Lands veſted in his Majeſty by virtue of an Act, intituled,* An ducing of white People into this Iſland, for ſubſiſting them for a certain T viding them with Land, that they may become Settlers; *or on ſome Part th I will, as ſoon as poſſible, go upon and ſettle ſuch Land as ſhall be granted to the ſaid Act.*

Which Oath the Receiver General is hereby impowered and required to ad

IV. And be it further enacted by the Authority aforeſaid, That all ſuc ſhall be ſubſiſted for the Space of Twelve Months by the Receiver Gener being, in Manner following; that is to ſay, Each white Perſon with F Beef, and four hundred Pounds Weight of Biſcuit, or Bread; and in ca bring with them any Negro or other Slaves, each Negro or other Sla ſucking Child, with a Barrel of Herrings, and Four hundred Pounds We or Bread; to be delivered at ſuch Times, and in ſuch Proportions, as th it of the Receiver General: Provided, That the Subſiſtence for Slaves to any one ſuch new Comer for more than Twenty.

V. And be it further enacted by the Authority aforeſaid, That every ſ or Owner of Slaves ſhall, upon Application made to the Preſident, or t in Chief of this Iſland for the time being, be intitled to a Patent for Fifty for himſelf; and in caſe he has a Wife and Children, Fifty Acres for his W ſuch Child, Twenty Acres; for every other white Perſon ſuch new Co with him, Fifteen Acres; and for every Slave, Ten Acres: Provided th not Three hundred Acres to any one new Comer.

VI. And be it enacted by the Authority aforeſaid, That the ſeveral Paſſage ſhall be paid, and thoſe who ſhall be ſubſiſted by the Publick, a Directions of this Act, ſhall ſtand indebted to the Publick for the Charg Paſſage and Subſiſtence; and ſhall be obliged, at the End of Seven Y firſt Arrival or receiving ſuch Subſiſtence, to pay to the Receiver Gener being ſuch Charge or Charges, without any Intereſt for the ſame.

VII. And be it further enacted by the Authority aforeſaid, That Su of the ſaid Fifteen thouſand Acres of Land, at or near *Manchioneil* Harb ſaid Fifteen thouſand Acres of Land, at or near *Norman*'s Valley, in S the paſſing of this Act, by ſome ſworn Surveyor or Surveyors, and ret cretary's Office of this Iſland, under the Hand and Seal of ſuch Surveyo and there enrolled; which ſaid Survey ſo enrolled, ſhall be concluſive, a cient to aſcertain the Bounds of the ſaid Two ſeveral Parcels of Land: veyor or Surveyors ſhall be paid for all ſuch Surveys by his Majeſty's R of this Iſland, at and after ſuch Rates and Allowances, and in ſuch Mann is directed in and by an Act, intituled, *An Act for regulating Surveyors,* other Lands; which the Receiver General is hereby ordered and directed veyor or Surveyors, upon producing a Certificate from the ſaid Secretar returning ſuch Survey or Surveys into his Office, as before required: And in ſurveying the ſaid ſeveral Parcels of Land, ſhall make any Traverſe, h Traverſe he ſhall ſo make, forfeit Fifty Pounds.

VIII. And as having thoſe Lands ſurveyed, will be an Inducement to to apply for Grants of them, it is hereby further enacted by the Au That his Honour the Preſident, or the Commander in Chief for the and he is hereby deſired and impowered to order the ſaid Surveys of th cels of Land ſo veſted in his Majeſty, his Heirs, and Succeſſors, as afo gun and proceeded upon in Three Months after the paſſing of this Act; ſuch Guard or Guards to protect the ſaid Surveyors in running and ſet of the ſaid Two Parcels of Land, as he ſhall think requiſite: And th Surveyor or Surveyors who ſhall neglect to purſue, or ſhall diſobey or or Orders as aforeſaid, ſhall, for ſuch Neglect, Diſobedience, or Refuſal,

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tants of this Iſland, in building
s in the late Barracking Law.
omers to tranſport themſelves
acted by the Authority afore-
h Intent to ſettle any Part of
al upon their Arrival, as alſo
ring with him, not exceeding
venty, ſhall be paid by their

Their Paſſage to be paid.

ng Oath:

this Iſland is to become a Settler
intituled, An Act for intro-
or a certain Time, and pro-
on ſome Part thereof; and that
be granted to me by virtue of

Their Oath.

required to adminiſter.

d, That all ſuch new Comers
Receiver General for the time
Perſon with Four Barrels of
ad; and in caſe they ſhould
or other Slave, not being a
ed Pounds Weight of Biſcuit,
portions, as they ſhall require
ce for Slaves be not allowed

To be ſubſiſted by the Receiver General for 12 Months.

, That every ſuch new Comer
Preſident, or the Commander
atent for Fifty Acres of Land
Acres for his Wife; for every
ſuch new Comer ſhall bring
s: Provided the whole exceed

Intitled to 50 Acres of Land for himſelf, and 50 for his Wife, &c.

hat the ſeveral Perſons whoſe
the Publick, according to the
for the Charge of ſuch their
nd of Seven Years from their
eceiver General for the time
ſame.

To ſtand indebted to the Publick for their Paſſage and Subſiſtence.

eſaid, That Surveys be made
anchionell Harbour, and of the
s Valley, in Six Months after
veyors, and returned in the Se-
f ſuch Surveyor or Surveyors,
e concluſive, and deemed ſuffi-
cels of Land: And ſuch Sur-
his Majeſty's Receiver General
in ſuch Manner and Form, as
ting Surveyors, for re-ſurveying
and directed to pay ſuch Sur-
e ſaid Secretary of his or their
equired: And if any Surveyor
ny Traverſe, he ſhall for every

Surveys to be made of the Lands.

nducement to ſuch new Comers
d by the Authority aforeſaid,
Chief for the time being, be,
Surveys of the ſaid Two Par-
ceſſors, as aforeſaid, to be be-
g of this Act; and to appoint
anning and ſettling the Bounds
niſite: And that all and every
all diſobey or refuſe ſuch Order
ce, or Refuſal, forfeit the Sum
of

Preſident to order the ſaid Surveys to be begun in three Months after the paſſing this Act.

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of Fifty Pounds, and be re
Iſland.

New Comers exempted from Taxes for five Years.

IX. And for the further
Authority aforeſaid, That t
as aforeſaid, be paid for by
by exempted and declared
Years from the Dates of th
ties or Impoſts they may be
an Intention to ſettle, purſua

Not to make any other Alienation of their Lands, than by Will.

X. And be it enacted b
any Lands ſhall be granted
Years after the Date of the
tion, than by Will only, of
them, as aforeſaid; and if a
ing ſuch Alienation, ſhall b
all Intents and Purpoſes; a
be aliened otherwiſe than as
ceſſors, for the Uſes, Inten
to the contrary notwithſtandi

Preſent Proprietors paying their Quit-rents, to be repaid by the Publick.

XI. And to the Intent th
ſaid reſpective Parcels of L
preſent Proprietor of any P
Succeſſors, as aforeſaid, who
being, within Six Months af
Payment of his Quit-rents
repaid by the Publick all ſuc
together with the Charge of

Who to be deemed new Comers.

XII. And to avoid any
new Comers within the Int
That all Perſons that have
immediately before the paſſ
ſhall be deemed new Comers

Exempted from Actions for three Years.

XIII. And be it further
ſhall be free and exempt fro
ed in this Iſland, *Great Brit*
rival.

To begin a Settlement within three Months from the Date of their Patents.

XIV. And be it enacted
be, and are hereby obliged
granted to them, as aforeſai
their reſpective Patents; and
his Heirs, and Succeſſors, fo

Funds unappropriated, to be applied to the Purpoſes of this Act.

XV. And be it further e
pluſage of Funds, not alrea
the Purpoſes of this Act; a
General be, and he is her
borrow Money at Intereſt,
for the Purpoſes aforeſaid;
ſembly.

This Act to be printed.

XVI. And be it further
ral do, within Twenty Day
cauſe this Act to be printe
Preſident, or Commander in
of printing the ſame be pai
unappropriated; any Law,

№ 372. *An Act to preve*

WHEREAS ſever
and practiſed unla
pieces, in Contempt of th
many of his Majeſty's Sub
humbly beſeech your Maje
Council, and Aſſembly of

nds, and be rendered incapable for ever after of acting as a Surveyor in this

for the further Encouragement of ſuch new Comers, be it enacted by the reſaid, That the Charge of patenting the Lands ſo to be granted to them, e paid for by the Publick; and that the ſaid new Comers be, and are here- and declared free from all Parochial and Poll Taxes for the Space of Five he Dates of their reſpective Patents; as alſo from the Payment of any Du- ts they may be liable to, for ſuch Slaves as they ſhall bring with them with o ſettle, purſuant to the Meaning of this Act.

e it enacted by the Authority aforeſaid, That ſuch new Comers, to whom all be granted, as aforeſaid, ſhall not, nor ſhall any of them, within Seven he Date of their or any of their reſpective Patents, make any other Aliena- Will only, of all or any ſuch Lands ſo to be granted to them, or any of eſaid; and if any Deed, or other Conveyance, except as aforeſaid, purport- nation, ſhall be made of any ſuch Lands, the ſame ſhall be null and void to d Purpoſes; and in ſuch caſe, the ſaid Lands ſo intended or mentioned to erwiſe than as aforeſaid, ſhall revert to his Majeſty, his Heirs, and Suc- he Uſes, Intents, and Purpoſes of this Act; any Law, Cuſtom, or Uſage y notwithſtanding.

to the Intent that no Injury may be done to the particular Proprietors of the Parcels of Land, be it enacted by the Authority aforeſaid, That every ietor of any Parcel of Land ſo to be veſted in his Majeſty, his Heirs, and aforeſaid, who ſhall make it appear to the Receiver General for the time Six Months after the paſſing of this Law, that he hath complied with the his Quit-rents for ſuch Parcel of Land within Three Years laſt paſt, ſhall be Publick all ſuch Sums of Money as ſuch Proprietor hath paid for Quit-rents, the Charge of patenting ſuch Parcel of Land.

to avoid any Impoſition or Diſpute that may ariſe, who ſhall be deemed within the Intention of this Act, be it enacted by the Authority aforeſaid, ſons that have not reſided in this Iſland for the Space of Twelve Months before the paſſing this Act, and who have not any Lands within the ſame, ed new Comers.

be it further enacted by the Authority aforeſaid, That all ſuch new Comers and exempt from all Actions and Proceſſes of Law for Debts not contract- nd, *Great Britain*, or *Ireland*, for the Space of Three Years after their Ar-

be it enacted by the Authority aforeſaid, That all ſuch new Comers ſhall hereby obliged to begin and carry on a Settlement on ſuch Land ſo to be em, as aforeſaid, within Three Calendar Months from and after the Date of ve Patents; and on Failure of which, all ſuch Lands ſhall revert to his Majeſty, d Succeſſors, for the Uſes, Intents, and Purpoſes of this Act.

be it further enacted by the Authority aforeſaid, That all Funds, and Sur- nds, not already appropriated, be, and are hereby appropriated to anſwer of this Act; and in caſe the ſame ſhould be deficient, that then the Receiver and he is hereby authorized, impowered, and required, to take up and ey at Intereſt, at and after the Rate of Ten Pounds *per Centum per Annum*, ſes aforeſaid; which ſhall be made good to him by this or any future Aſ-

be it further enacted by the Authority aforeſaid, That the Receiver Gene- n Twenty Days after the paſſing of this Law, procure a Copy thereof, and t to be printed; and that Fifty Copies thereof be at the Diſpoſal of the Commander in Chief of this Iſland for the time being; and that the Charges the ſame be paid by the Receiver General, out of any Money in his Hands ed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

t to prevent the malicious burning of Houſes and Plantations.

REAS ſeveral ill-diſpoſed miſchievous Perſons have of late been engaged in practiſed unlawful and wicked Courſes, in burning of Houſes, and Cane- ontempt of the Laws, and to the great Damage and Impoveriſhment of Majeſty's Subjects in this Iſland: For Prevention whereof for the future, we ech your Majeſty that it may be enacted; and be it enacted by the Preſident, Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Au-

thority

1736.

To act as ſuch.

III. AND be it enacted by the Authority aforeſaid, That the ſaid Truſtees, and their Succeſſors, or the major Part of them, by the ſame Name, ſhall and may have Power and Ability to place out at Intereſt, on good and ſufficient Security, any Donations, Benefactions, or Subſcriptions in Money; and to demiſe, ſell, and leaſe ſuch Poſſeſſions and Hereditaments, as ſhall or may be given or purchaſed, as aforeſaid; and to take, acquire, and purchaſe; to ſue, and to be ſued; and to do, perform, and execute all and every lawful Act and Thing, good, neceſſary, and profitable for the ſaid Corporation, in as full and ample Manner and Form, to all Intents, Conſtructions, and Purpoſes, as any other Corporation, or Body politick and corporate, fully and perfectly incorporated, may or ought to do: And that they the ſaid Truſtees, and their Succeſſors, may have and uſe a common Seal, for the making, granting, and demiſing of ſuch their Demiſes or Leaſes, and for the doing of all and every other Things, touching, or in any wiſe concerning or appertaining to the ſaid Corporation; in which Seal ſhall be engraven the Sun breaking through a Cloud; and that the ſaid Seal ſhall be depoſited and kept in the Hands of the *Cuſtos Rotulorum* of the ſaid Town of *Kingſton* for the time being.

Executors to render an Account of the Profits of the Eſtate within 40 Days.

IV. AND be it enacted by the Authority aforeſaid, That the ſaid *Michael Atkins*, the ſurviving Executor of the ſaid *John Wolmer*, and the Executors of *Samuel Kemermain*, deceaſed, who was the other Executor of the ſaid *John Wolmer*, ſhall be, and are hereby required within Forty Days after the paſſing of this Act, to render an Account of the Profits and Produce of the ſaid *John Wolmer*'s Eſtate, together with the Intereſt ariſing or accruing on the ſame, to the other Truſtees of the ſaid Free-ſchool, or the major Part of them, and to pay over the Balance that ſhall appear to be due, or aſſign over ſuch Securities as they have taken for the ſame, or any Part thereof; and upon their ſtating and adjuſting the ſaid Accounts, and paying the Balance, or aſſigning the Securities in their Hands in the Manner aforeſaid, the ſaid Truſtees, or the major Part of them, ſhall be, and are hereby impowered to execute a Releaſe and Accquittance to the Executors of the ſaid *Samuel Kemermain*, and the ſaid *Michael Atkins*, his Heirs, or Aſſigns; which Releaſe or Acquittance ſhall be a full Diſcharge and Indemnification to them, and every of them; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Truſtees to erect a School-houſe, &c.

V. AND be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, and their Succeſſors, to erect or build a proper Houſe, with Out-houſes; and to endow the ſame in Proportion to their Revenues; and until the ſaid Houſe can be conveniently built, to hire one ſuch as they ſhall think fit for the Purpoſe, for the Abiding, Dwelling, and neceſſary Uſe of one or more Maſters and Uſhers, for inſtructing Youth without Charge, in Reading, Writing, Arithmetick, Latin, Greek, the Mathematicks, and any other Parts of Learning the ſaid Truſtees ſhall think proper.

To appoint Maſters and Uſhers.

VI. AND that they the ſaid Truſtees, and their Succeſſors, or the major Part of them, ſhall have full Power and Authority to nominate and appoint ſuch Perſon or Perſons as they ſhall think proper or qualified, to be Maſters and Uſhers of the ſaid School, provided they be of the Religion of the Church of *England*, and are well affected to the Proteſtant Succeſſion.

To remove them on Miſbehaviour, &c. and appoint others in their Stead.

VII. AND upon any Miſbehaivour or Diſability, to remove the ſaid Maſters or Uſhers, or any of them; and when any of them, by Deprivation, Reſignation, or Death, ſhall become void, the ſaid Truſtees, and their Succeſſors, ſhall and may, within Three Months after ſuch Voidance, by Writing under their common Seal, appoint one or more, qualified as aforeſaid, in the Place of them, and every of them ſo deprived, reſigning, deceaſing, or becoming void.

To receive as many Children into the Free-ſchool as they ſhall think proper, &c.

VIII. AND be it enacted by the Authority aforeſaid, That the ſaid Truſtees, or their Succeſſors, or the major Part of them, ſhall and may receive into the ſaid Free-ſchool as many Children as they ſhall think proper, in Proportion to the Revenues of the ſaid School; and upon any Miſbehaviour or Inability, or upon their attaining the Age of Eighteen, to remove or diſcharge them, or any of them, and to take and receive others into the ſaid Free-ſchool, in their Place and Stead: And that the ſaid Truſtees, or their Succeſſors, or the major Part of them, ſhall and may, from time to time, expend ſuch Sum or Sums of Money, in Proportion to the Revenues of the ſaid School, in and about the repairing, maintaining, upholding, or enlarging the ſaid School, and Buildings thereunto belonging, as they ſhall think convenient, requiſite, and neceſſary.

To make Rules for the Government of the ſaid School, &c.

IX. AND be it enacted by the Authority aforeſaid, That the ſaid Truſtees, and their Succeſſors, or the major Part of them, ſhall and may have full Power and Authority, under the ſaid common Seal, to make, ordain, and preſcribe ſuch Rules and Ordinances, for the good Order and Government of the ſaid Free-ſchool, and of the ſaid Maſters, Uſhers, and Children, and for ſettling their and every of their Stipends and Allowances, as to them ſhall ſeem meet, convenient, and neceſſary; and that the ſaid Rules and Ordinances, by them, or the major Part of them ſo made, ordained, and preſcribed, as aforeſaid, ſhall ſtand and be in full Force and Strength in Law, the ſame not being repugnant or contrary to his Majeſty's Prerogative, nor the Laws and Statutes of *England* and this Iſland.

X. AND

X. AND that the ſaid Truſtees, and their Succeſſors, or the major Part of them, ſhall and may have full Power and Authority to viſit the ſaid School, and to order, reform, and redreſs all Diſorders and Abuſes in and touching the Government and Management of the ſame, in ſuch Manner, and at ſuch Times, as to them ſhall ſeem fit. 1736. and viſit it.

XI. AND be it enacted by the Authority aforeſaid, That it ſhall not be lawful for any of the Truſtees, or their Succeſſors, to keep in his or their Hands above Thirty Days, or to apply to his or their own Uſe and Benefit, or to take or borrow, on Intereſt, any Sum or Sums of Money, given to or for the Uſe of the ſaid Free-ſchool, or that ſhall ariſe or become due for Intereſt or Rent; nor ſhall they, or any of them, buy, ſell, rent, or leaſe any of the Lands, Tenements, or Hereditaments, which may be ſettled, purchaſed, or given for the Uſes aforeſaid. Not to borrow, &c. any Money given to the School.

XII. AND be it enacted by the Authority aforeſaid, That any Perſon or Perſons offending, or acting contrary to the true Intent and Meaning of this Act, ſhall forfeit the Sum of Five hundred Pounds; one Third to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland; one Third to and for the Uſe of the ſaid Free-ſchool; and the other Third to the Informer, or him or them who ſhall ſue or proſecute for the ſame; to be recovered by Bill, Plaint, or Information in any of the Courts of Record in this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Penalty on offending againſt this Act.

An Act to confirm the Sale of a Houſe in the Town of St. Jago de la Vega, *in the Pariſh of St.* Catharine, *commonly called the* Fort-houſe, *with certain Lands thereunto belonging and adjoining; and confirming and ſecuring the Title of the preſent Owner under ſuch Sale.* N° 374.

WHEREAS the Houſe, commonly called the *Fort-houſe*, in the Town of St. *Jago de la Vega*, with Six Acres of Land, more or leſs, thereunto belonging, bounding North-eaſt on a Street between a Store-houſe belonging to *John Stewart* Eſquire, and the Dwelling-houſe formerly belonging to *Arnold Brown* Eſquire, deceaſed, to the Parade; South-eaſt, on Land lately belonging to *William Careleſs* Eſquire, deceaſed; South-weſt, on the Town *Savanna*; and North-weſt, on the Land lately belonging to *Urſula Hunt*, Widow, deceaſed, by Indenture, *Quinquepartite*, bearing Date the Sixteenth Day of *July*, in the Year of our Lord One thouſand ſeven hundred and twelve, made between *Francis Oldfeild* Eſquire, and *Mary* his Wife, of the firſt Part; *Anne Modyford* Spinſter, of the ſecond Part; *William Bowles*, of the Kingdom of *Great Britain* Eſquire, of the third Part; and the ſaid *Francis Oldfeild*, as Attorney to the ſaid *William Bowles* and *Anne Modyford*, of the fourth Part; and *Thomas Brayne*, of the Pariſh of St. *Catharine* Eſquire, of the fifth Part, were conveyed to the ſaid *Thomas Brayne*, and his Heirs, and afterwards deſcended to, or otherwiſe became veſted in *Mary Elizabeth Brayne*, as only Daughter and Heir of the ſaid *Thomas Brayne*, late the Wife of *Alexander Henderſon* Eſquire, deceaſed: And whereas the ſaid *Alexander Henderſon*, and the ſaid *Mary Elizabeth*, his Wife, by Deeds of Leaſe and Releaſe, dated the Firſt and Second Days of *February*, in the Year of our Lord One thouſand ſeven hundred and twenty ſeven, conveyed the ſaid Houſe and Land unto *Walter Thomas*, and his Heirs: And whereas the ſaid *Walter Thomas*, and *Jane* his Wife, by Indenture, bearing Date the Tenth Day of *October*, in the Year of our Lord One thouſand ſeven hundred and twenty eight, conveyed the ſame to the ſaid *John Stewart*, and his Heirs: And whereas the ſaid *Alexander Henderſon* having laid out and expended ſeveral conſiderable Sums of Money, for the carrying on and improving other Parts of the Eſtate now of *Frances Henderſon*, Daughter of the ſaid *Alexander Henderſon*, and *Mary Elizabeth* his Wife, in Buildings, Negroes, Mules, and Cattle; which hath and will be a ſufficient Compenſation for the ſaid Houſe and Land: And whereas ſome diſputes may hereafter ariſe, touching the Right and Title of the ſaid *John Stewart*, of, in, and to the ſaid Houſe and Land, with the Appendents and Appurtenances, by reaſon of the Infancy of the ſaid *Mary Elizabeth*, the Heir, or Reſiduary Deviſee of the ſaid *Thomas Brayne*, at the Time of the Execution of the ſaid Deeds of Leaſe and Releaſe; or of the Infancy of *Frances Henderſon*, the Daughter and Heir of the ſaid *Alexander Henderſon*, and the ſaid *Mary Elizabeth* his Wife: For Prevention whereof, and foraſmuch as the Honourable *Henry Dawkins*, and *William Gordon* Eſquires, the only acting Executors of the laſt Will and Teſtament of the ſaid *Alexander Henderſon*, and the only acting Guardians of the ſaid *Frances Henderſon*, the Minor, have declared, that the confirming the Title of the ſaid *John Stewart* would be for the Benefit of the ſaid *Frances Henderſon*, the ſaid Infant: In order therefore to eſtabliſh, confirm, and ſecure the Right and Title of the ſaid *John Stewart*, of, in, and to the ſaid Houſe and Land, with the Appurtenances; may it pleaſe your moſt

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most Excellent Majeſty, at the humble Suit and Petition of the ſaid *Henry Dawkins*, and *William Gordon*, the only acting Guardians of the ſaid *Frances Henderſon*, and of the ſaid *John Stewart*, that it may be enacted; be it therefore enacted and declared, by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted and declared by the Authority of the ſame, That, by and under the aforeſaid ſeveral Deeds, Conveyances, and Deviſes, the aforeſaid Houſe and Land, with the Appurtenances, ſhall for ever hereafter be actually and abſolutely veſted in the ſaid *John Stewart*, his Heirs and Aſſigns; and that he, the ſaid *John Stewart*, his Heirs and Aſſigns, ſhall be adjudged and taken to be ſeized thereof, and of every Part thereof, with all the Rights, Members, and Appurtenances thereunto belonging; and that he and they ſhall and may have, hold, and enjoy the ſame, againſt them the ſaid *Francis Oldfeild*, and *Mary* his Wife, *Anne Modyford*, *William Bowles*, *Thomas Brayne*, *Alexander Henderſon*, and *Mary Elizabeth* his Wife, and the ſaid *Frances Henderſon*, the Minor aforeſaid; and againſt each and every of them, and their and each and every of their Heirs, and all other Perſons claiming by, from, or under them, or any or either of them; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: Saving unto the King's moſt Excellent Majeſty, his Heirs and Succeſſors; and to all Perſons, as well Bodies politick and corporate, and their Succeſſors; and the Right of Dower which *Mary*, the Widow and Relict of the ſaid *Thomas Brayne*, hath or may claim; as alſo to all other Perſons whatſoever, and their reſpective Heirs and Aſſigns (other than, and except the ſaid *Francis Oldfeild*, and *Mary* his Wife, *Anne Modyford*, *William Bowles*, *Thomas Brayne*, *Alexander Henderſon*, and *Mary Elizabeth* his Wife, and the ſaid *Frances Henderſon*, and their and each and every of their Heirs; and all and every other Perſon or Perſons, claiming, or to claim by, from, or under the ſaid Parties ſo excepted, or either of them) all ſuch Right, Title, Intereſt, Truſt, Benefit, Property, Claim, and Demand, whether in Law or Equity, as they or any of them had, may, or might have had before the paſſing of this Act.

The Premiſſes veſted in *John Stewart*, and his Heirs.

Proviſo.

II. PROVIDED always, That this Act, or any Clauſe, Article, or Thing therein contained, ſhall not commence, take Place, or be in Force, or of any Effect, until his Majeſty's Allowance or Aſſent be ſignified; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

№° 375. *An Act to enable* David Jones, *a Minor, under the Age of Twenty one Years,* to wit, *of the Age of Nineteen Years, and upwards, only Son and Heir, and alſo Reſiduary Deviſee of the Real and Perſonal Eſtate of* Griffith Jones, *late of the Pariſh of St.* John, *Planter, deceaſed, and* Robert Kilbie, *of the Pariſh of St.* Dorothy, *Eſquire, Guardian of the Body and Eſtate of the ſaid* David Jones, *or either of them, to ſell the Moiety, or Half-part, of one Thouſand Acres of Land, of him the ſaid* David Jones, *at* Plantain Garden River, *in the Pariſh of St.* Thomas in the Eaſt, *with his Right and Title therein, or to the Plantation thereon ſettled, called* Golden Grove, *and Houſes thereon; for Payment of the Debts affecting the ſame, and of other Debts of the ſaid* David Jones, *and of the Legacies left by the ſaid* Griffith Jones *to his younger Children, and others.*

WHEREAS *Andrew Arcedekne* Eſquire, being ſeized and poſſeſſed of a Piece or Parcel of Land at *Plantain Garden River*, in the Pariſh of St. *Thomas in the Eaſt*, containing, by Eſtimation, One Thouſand Acres, more or leſs, butting and bounding North, on *Plantain Garden River*; Eaſt, on *James Littleton* Eſquire, and Land unſurveyed; South, on Land reputed to be Mr. *Dennis* Mc *Cragh*'s; and Weſt, on Mr. *Thomas South*, and Lieutenant *Charles Whitfield*; it was, by certain indented Articles of Agreement, bearing Date the Fourteenth Day of *November*, One thouſand ſeven hundred and twenty one, covenanted, concluded, and agreed upon by and between the ſaid *Andrew Arcedekne*, and the ſaid *Griffith Jones*, Father of the ſaid *David Jones*, to ſettle a Plantation or Sugar-work thereupon; and that the ſaid *Andrew Arcedekne* ſhould, within one Calendar Month after Date of the ſaid Articles, in Conſideration of One thouſand three hundred Pounds, to be paid in Two Years after that Date, convey a Moiety of the ſaid Lands to the ſaid *Griffith Jones*, and his Heirs: And the ſaid *Griffith Jones* by the ſaid Articles did bind himſelf,

himſelf, his Heirs, Executors, and Adminiſtrators, and the ſaid Lands, to the Payment of the ſaid One thouſand three hundred Pounds; and in caſe the ſame, or any Part, ſhould be behind and unpaid at the Time aforeſaid, then the ſame to be paid with Intereſt: And by the ſaid Articles it was further agreed, that in caſe of the Death of either of the ſaid Parties, it ſhould be lawful for the Survivor to carry on the ſaid Settlement; and in caſe the Heirs, or other Repreſentatives of the Parties ſo dying, ſhould not be able, ready, or willing to advance Money for that Purpoſe, that then it ſhould be lawful for the Survivor to borrow Money at Intereſt for that Purpoſe, and to ſecure the Payment thereof out of the Part of the Party ſo deficient, by Mortgage in Fee, for Years, or otherwiſe: And whereas the ſaid *Andrew Arcedeckne*, in purſuance of the ſaid Agreement, and for the Conſiderations aforeſaid, did convey the Moiety of the ſaid Lands to the ſaid *Griffith Jones*, and his Heirs: And whereas the ſaid *Griffith Jones* ſoon afterwards, that is to ſay, on or about the Seventeenth Day of *May*, in the Year of our Lord One thouſand ſeven hundred and twenty two, died indebted to ſeveral Perſons, to nigh the Value of his whole Eſtate, beſides the ſaid One thouſand three hundred Pounds to be paid and charged on the ſaid Lands; and before any conſiderable Progreſs could be made in the ſaid intended Settlement, having firſt made his laſt Will and Teſtament, by which he gave Legacies, to the amount of Six hundred Pounds, to his Daughters, as a Proviſion for them, and to his Son in law, as a Recompence for ſo much he had received for him before that Time; and the reſt and Reſidue of his Real and Perſonal Eſtate he gave to his Two Sons, *Griffith* and *David Jones*, Party hereunto; and of his ſaid Will nominated and appointed *Alger Peſtell* Eſquire, ſince deceaſed, and the ſaid *Andrew Arcedeckne*, Executors and Guardians to his ſaid Two Sons, until the ſaid Ages of Twenty one Years: And whereas the ſaid *Griffith Jones*, the Son, died ſoon after his ſaid Father, an Infant of very tender Years, *viz.* Eight Years, or thereabouts; whereby the ſaid Lands, *inter alia*, came to, and veſted in the ſaid *David Jones*, then an Infant of tender Years, *viz.* of the Age of Seven Years, or thereabouts; who not being able to carry on the ſaid Settlement, the ſaid *Andrew Arcedeckne* hath, ſince the Death of the ſaid *Griffith Jones*, paid ſeveral of the ſaid *Griffith Jones*'s Debts, as Executor, as aforeſaid; and as Guardian to the ſaid *David Jones*, advanced and borrowed, by virtue of the ſaid Articles, conſiderable Sums of Money, for the carrying on the ſaid Settlement, and for the Support and Maintenance of the ſaid *Griffith Jones*'s Wife, and the ſaid *David Jones*, and *Elizabeth* and *Jane Jones*, Daughters of the ſaid *Griffith Jones*; by all which Means, as well as the great Loſſes that happened in the carrying on the ſaid Settlement, and the common Calamities of the Iſland, the ſaid Eſtate of the ſaid *David Jones* is conſiderably indebted; and the ſaid *David Jones* not being able to advance Money to carry on or improve the ſaid Settlement, the Debts already due, and the growing Intereſt, will ſoon ſwallow up more than the Value of the ſaid *Jones*'s Eſtate, to the Ruin of the ſaid *David Jones*, Loſs of the Creditors, and of the ſaid *Griffith Jones*'s ſaid Two Daughters, and other Legatees: And whereas the ſaid *David Jones*, who is now of the Age of Nineteen Years, or upwards, upon a mature Deliberation with his ſaid Guardian, Friends, and Relations, concerning the Matters and Things aforeſaid, foreſeeing, and being fully ſatisfied that the Debts and Legacies affecting the ſaid Lands cannot be paid without Sale of the ſaid Land, Plantation, and Premiſſes of him the ſaid *David Jones*, he hath reſolved to ſell and diſpoſe thereof, in order to pay off the ſame in the ſpeedieſt Manner, and in Hopes of ſaving the Surplus to himſelf: May it therefore pleaſe your Majeſty, at the humble Suit of the ſaid *David Jones*, and of *Robert Kilbie*, his next Friend and Guardian, duly conſtituted and appointed, that it may be enacted; and be it enacted by the Preſident, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid *David Jones*, and *Robert Kilbie*, or either of them, or the Survivor of them, be, and they, or either of them, or the Survivor of them, be, and they are hereby fully authorized, impowered, enabled, and required, by and with the Conſent and Approbation of one or more of the Judges of the Supreme Court of Judicature of this Iſland firſt had and obtained, under his Hand and Seal, to ſell, or otherwiſe diſpoſe of the ſaid Moiety, or Half of the ſaid One thouſand Acres of Land, be the ſame more or leſs, with the Moiety of the Plantation thereon ſettled, and commonly known and called by the Name of *Golden Grove Plantation*; and a Moiety of all the Works, Buildings, Coppers, Stills, Mills, Negroes, and other Slaves thereon being, and thereunto belonging; together with a Moiety of all the Cattle, and Perſonal Eſtate thereunto belonging, with their Appurtenances, in Fee-ſimple, or otherwiſe howſoever: And for that End and Purpoſe the ſaid *David Jones*, and *Robert Kilbie*, or either of them, or the Survivor of them, ſhall and may duly ſign, ſeal, and execute any Deed or Deeds, Conveyance or Conveyances, Aſſurance or Aſſurances, Act or Acts, or other Thing whatſoever, needful or neceſſary for the abſolute giving, granting, conveying, and aſſuring the ſaid Moiety, or Half-part of the ſaid One thouſand Acres of Land, Plantation, and Premiſſes to the Purchaſer or Purchaſers, his, her, or their Heirs and Aſſigns for ever; he and they ſo ſelling, applying the Money ariſing

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Moiety of the Eſtate, &c. to be ſold,

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and applied to the Payment of Debts.

arising by such Sale to the Purposes aforesaid, so far as it will go, and the Overplus, if any, to and for the Use and Benefit of the said *David Jones*; and the Deed or Deeds, Assurance or Assurances, or other Conveyance whatsoever, so by them, or either of them, or the Survivor of them, signed, sealed, and executed, as aforesaid, and duly proved, or acknowledged and recorded, according to the Laws already made for that Purpose, shall be sufficient to pass and convey the said Lands, Plantations, and Premisses to such Purchaser and Purchasers, and his Heirs and Assigns for ever: And the Deed or Deeds, Assurance or Assurances, Conveyance or Conveyances, so executed, as aforesaid, are hereby ratified, established, and confirmed, and shall be a perpetual Bar, against the said *David Jones*, and *Griffith Jones*, the Father, and against all and every Person and Persons, claiming or to claim any Right, Title, or Interest thereunto, or unto any Part thereof, by, from, or under the said *David Jones*, and *Griffith Jones* the Father, or either of them, their, or either of their Heirs or Assigns, and shall be so deemed, taken, and construed, to all Intents and Purposes whatsoever, in all Courts of Law or Equity, and shall be so pleaded in Bar, or given in Evidence, and allowed in all such Courts: Saving nevertheless, to His Most Excellent Majesty, his Heirs and Successors; and to all Bodies politick and corporate, and all other Persons whatsoever (except the said *David Jones* and *Griffith Jones*, and their Heirs, and those claiming or to claim, by, from, or under them, or either of them) all their Right or Title of, in, or to the same.

Proviso.

II. PROVIDED always, That this Act, or any Clause, Article, or Thing herein contained, shall not take Place, or be in Force, or of any Effect, until it shall have received his Majesty's Royal Approbation; any Law, Custom, or Usage to the contrary notwithstanding.

№ 376. Expired.

An Act for imposing a Duty on all Rum, and other Spirits or strong Waters retailed in this Island, and for applying the same to several Uses; and appointing Commissioners for settling the Publick Accounts.

№ 377. Private.

An Act for the Encouragement of Major Thomas Sainthill *in his Projections of making of Cattle or Horse-mills, and for hanging of Coppers, and cleansing of Cane-liquor.*

№ 378.

An Act for impowering William Peete *to keep the Ferry, and erect a Toll-gate, or Turnpike, between St.* Catharine's *and St.* Andrew's, *and taking up runaway Negroes.*

WHEREAS a Road and Passage by Land, between the Parishes of St. *Catharine* and St. *Andrew*, has been heretofore found of great Use and Advantage to the whole Island, as being an easy, safe, and near Communication to the several Precincts: And whereas it will be requisite and necessary that the old Road should be amended, or a new Road made; and that a Ferry should be kept, for an Accommodation and Passage over the River *Cobre*, and the Bridge kept in Repair, which cannot be effected or done without great Expence and Charge: And whereas *William Peete* hath undertaken the making a good Road, and keeping the same, and the said Bridge in constant Repair, and keeping a Ferry duly attending for such Purposes: For the Encouragement therefore of so good and necessary a Work, may it please your Most Excellent Majesty that it may be enacted; and be it therefore enacted by the President, Council, and Assembly of this your Majesty's Island of *Jamaica*, and it is hereby enacted by the Authority of the same, That the said *William Peete*, his Heirs and Assigns, be, by this Act, impowered and authorized, for the Space of Fourteen Years from the passing of this Act, to ask, demand, and receive, as a Duty and Toll, for the transporting of any Person over the said River, when necessary, and for the Passage of any Person, Cattle, Mules, Sheep, Hogs, or other Stock, through the said Turnpike, on or along the said Road, the following Toll or Duty; *viz.* For every grown horned Beast, Seven Pence Half-penny; for every Horse, Seven Pence Half-penny; for Sheep, Goats, and Hogs, Five Shillings *per* Score, and so in Proportion for a greater or lesser Number; for a Coach, Chariot, or four wheel Chaise, with four or six Horses, Coachman, Postilion, and Footman, at the Rate of Seven Pence Half-penny for each Horse; and for a two wheel Chaise, and Horse or Horses, Fifteen Pence; and for a Wain or Cart, including Cattle and Carmen, Seven Pence Half-penny; for each Beast, and for every Person that shall be ferried over, Seven Pence Half-penny; and that no Person, Carriage of any Sort, Horse, Cattle, Sheep, Goats, or Hogs passing to and fro, between Sun-rise and Sun-set, shall be obliged to pay the said Toll more than once in one Day; for which Purpose, and to prevent any Disputes that may arise about the said Toll, the said *William*

Toll granted for 14 Years.

Rates of the Toll.

Persons passing and repassing the same Day, not to pay twice.

William Peete ſhall and is hereby obliged to give to each Perſon paying the Toll, and declaring his or her Intention to return again the ſame Day, a Ticket; which Ticket being returned the ſame Day, ſhall intitle him or her, with their ſeveral Conveniencies, to repaſs without any further Toll: And that the ſaid *William Peete*, his Heirs and Aſſigns, may and ſhall erect and build a Tollgate or Turnpike at the Bridge which divides the ſaid Pariſhes. 1736.

II. AND it is hereby further enacted and ordained by the Authority aforeſaid, That the ſaid *William Peete*, his Heirs and Aſſigns, be by this Act impowered and authorized, and the ſaid *William Peete*, his Heirs and Aſſigns, are hereby impowered and authorized, during the ſaid Term of fourteen Years hereby limited, to nominate, conſtitute, appoint, and keep, and in his Place and Stead, to put one or more white Men at the ſaid Ferry and Turnpike, as Occaſion ſhall be, or he ſhall think proper, to ask, demand, and receive ſuch Duty or Toll for the tranſporting, if neceſſary, of any Cattle or Things over the ſaid River, or along the ſaid Road, the ſeveral Sums of Money by this Act limited. Collectors to be appointed

III. PROVIDED always, That if the ſaid *William Peete*, or his Aſſigns, ſhall not ſufficiently repair, finiſh, and compleat the ſaid Way and Paſſage over *Rio Cobre* in the Pariſh of St. *Catharine*, to *Water-houſe Paſture* in the Pariſh of St. *Andrew*, within twelve Months from and after the making of this Act, and that in all Places it be not leſs than ſixteen Foot board; that the aforeſaid Limitation of the Rates which ſhall be paid by virtue of this Act, or any Letters Patent, granted or to be granted for the ſame, ſhall ceaſe, determine, and be utterly void. Toll to ceaſe, if the Road, &c. is not finiſhed within 12 Months.

IV. AND be it further enacted and ordained by the Authority aforeſaid, That no other Perſon whatſoever preſume to erect, maintain, or keep a Ferry or Raft over the ſame River for Hire; or erect, build, maintain, or keep any other Tollgate or Turnpike upon the ſaid Road, for the Space of fourteen Years after the paſſing hereof, under the Penalty of One hundred Pounds, current Money of this Iſland, for every Offence; the one Half to be for our Sovereign Lord the King, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Half for the ſaid *William Peete*, his Heirs or Aſſigns, or him or them that ſhall inform or ſue for the ſame; to be recovered by Action of Debt, Bill, Plaint, or Information, in his Majeſty's Supreme Court of Judicature within this his Majeſty's Iſland, wherein no Protection, Wager of Law, Eſſoin, or Injunction ſhall be allowed. Penalty on keeping any other Ferry over the River, or erecting Turnpikes upon the Road

V. AND be it further enacted by the Authority aforeſaid, That the ſaid *William Peete*, be, and he is hereby impowered to examine all Negroes, and other Slaves travelling that Way without Letters or Tickets, and to detain and ſend them to the Owners, if known; or, if not known, to the common Gaol; for each of which he ſhall receive the uſual Milemoney allowed for taking up of runaway Negroes. Negroes travelling that Way, to be examined, &c.

VI. AND be it further enacted by the Authority aforeſaid, That if the ſaid *William Peete*, ſhall in any thing neglect his Duty, or offend contrary to the true Intent and Meaning of this Act, he ſhall for every ſuch Neglect or Offence forfeit the Sum of Fifty Pounds; to to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Imparlance, Injunction, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other to the Informer, or him or them that ſhall ſue or proſecute for the ſame; any Law, Cuſtom, or Uſage to the the contrary notwithſtanding. Penalty on *William Peete*'s neglecting his Duty.

VII. AND be it further enacted by the Authority aforeſaid, That *Edward Garthwait*, Eſq; for the Pariſh of St. *Andrew*, *James Knight*, Eſq; for the Pariſh of *Kingſton*, and *Roſe Fuller*, Eſq; for the Pariſh of St. *Catharine*, or ſuch other Perſon, as the Juſtices and Veſtry of the reſpective Pariſhes ſhall chooſe in the Room of any of them who ſhall happen to die or go off this Iſland, be, and they are hereby appointed Commiſſioners for the ſaid Road, with Power to ſuperintend and direct the repairing, finiſhing, and compleating the ſame; and to hear and determine all Diſputes that may ariſe about the ſame, or the Toll to be taken thereon. Commiſſioners Names.

An Act to prevent the Abuſes committed by entertaining, concealing, or carrying off any of his Majeſty's Soldiers, any white Men or Women, Servants or Slaves, belonging to any of the Inhabitants off this Iſland, without Tickets; and for the better regulating Servants, and deciding Differences between Maſters and Servants. 12° 379.

WHEREAS the Number of white People reſiding in this Iſland is of the greateſt Conſequence to its Security, as well againſt all foreign Enemies, in caſe of War,

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as againſt the rebellious Negroes: For the better ſecuring and keeping white Servants and others in this Iſland, may it pleaſe your Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Preſident, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That from and after the firſt Day of *February* next, no Captain, Maſter, or Commander of any Ship or Veſſel, or other Perſon whatſoever, ſhall entertain, hide on Shore or on Board, or carry off, or attempt to carry off this Iſland, either as Sailor or Paſſenger, or upon any other Pretence whatſoever, any Soldier of any of the Independent Companies now, or that hereafter ſhall be in this Iſland, without a ſufficient Diſcharge from the Captain of the Company he belongs to; or any white Perſon, lately indented or hired, without a Diſcharge from ſuch white Perſon's laſt lawful Employer, and alſo a Certificate from any one Juſtice of the Peace, of the Pariſh or Precinct where ſuch white Perſon laſt reſided, that the ſaid white Perſon is free, and not indented or hired to any Perſon whatſoever, or that ſuch white Perſon had ſerved out his or her Time according to his or her Agreement, under the Penalty of Two hundred Pounds for every ſuch Offence; to be recovered of and from any Maſter, Commander, or Captain of any Ship or Veſſel, who ſhall be guilty of any ſuch Offence, or his Security in the Secretary's Office, in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Injunction, Eſſoin, Protection, *Non vult ulterius proſequi*, or Wager of Law ſhall be granted or allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: And that the Maſter or Miſtreſs of ſuch Perſon, or the Perſon ſo found on Board, or carried off, ſhall be good Evidence againſt the Perſon ſo offending, or his Security.

Commanders of Ships not to entertain or carry off any Soldier, &c. without a Diſcharge from his Captain, &c.

Penalty on concealing ſuch.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *February* next, no Perſon whatſoever ſhall hide, hire, conceal, employ, or entertain any Perſon, who now is, or hereafter ſhall be a Soldier in any of his Majeſty's Independent Companies; or any white Perſon, who now is or ſhall be the hired or indentured Servant of any other Perſon; or who has not a ſufficient Diſcharge from his Captain or Commander, or from his laſt Maſter or Employer, atteſted and certified to be true and genuine, under the Hand of any one Juſtice of the Peace in the Pariſh or Precinct where ſuch Soldier, Servant, or white Perſon laſt reſided and lived, under the Penalty of Twenty Pounds; to be recovered of and from the Perſon ſo hiring, hiding, concealing, employing, or entertaining ſuch Soldier, Servant, or white Perſon, without ſuch Diſcharge and Certificate, as aforeſaid; to be recovered in the Supreme Court of Judicature in Manner aforeſaid.

Soldiers, &c. admitted as Evidence againſt ſuch Offenders.

III. And be it further enacted by the Authority aforeſaid, That any Soldier or white Perſon ſo detained, hidden, hired, concealed, employed, or entertained, ſhall be deemed and allowed to be good Evidence againſt all and every Perſon and Perſons ſo offending.

Commanders of Ships not to work any Slave without hiring him from his Owner.

IV. And whereas it is a common Practice for Maſters and Commanders of Ships and other Veſſels, to entertain and work on Board their ſaid Ships and Veſſels, in the Harbours of this Iſland, the Slaves of the Inhabitants, which gives an Opportunity to carry ſuch Slaves off the Iſland: For Remedy whereof, be it further enacted by the Authority aforeſaid, That whatever Maſter or Commander or any Ship or Veſſel ſhall entertain, work, or ſuffer or premit to be entertained or wrought on Board ſuch Ship or Veſſel, any Slave belonging to any Inhabitant in this Iſland (other than the proper Slaves of ſuch Maſter or Commander) without hiring him from the Owner, or having a Certificate from the *Cuſtos Rotulorum*, or any two Juſtices of the Peace of the Precinct wherein the Owner of ſuch Slave reſides, that ſuch Slave is at Liberty from his Owner to hire himſelf; which Certificate ſhall contain the Names of the Owner, and of the Slave, and the Place of the Reſidence of ſuch Owner, and for how long Time ſuch Slave is at Liberty to hire himſelf; ſuch Maſter, or Commander of Ships or other Veſſels, offending as aforeſaid, ſhall, over and above all other Penalties, forfeit the Sum of One hundred Pounds, to be recovered before any two Juſtices of the Peace; who are hereby impowered to ſummon before them all ſuch Offenders, and to hear and determine ſuch Offence, and to commit ſuch Offender or Offenders to the common Gaol, there to remain without Bail or Mainprize, until he hath paid the ſaid Forfeiture; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

V. And for the better preventing ſuch Practices, be it enacted by the Authority aforeſaid, That the Maſter or Commander of any Ship, Sloop, or Veſſel, ſhall, upon his Entry, take the following Oath:

Commander's Oath.

I A. B. *do ſwear, That I have not, nor will hire any Negro Slave, but from the Owner, or ſuch as have or ſhall have a Certificate from the* Cuſtos Rotulorum, *or two Juſtices of the Peace of the Pariſh or Precinct where the Owner of ſuch Negro Slave reſides, purporting that ſuch Negro Slave is at Liberty to hire himſelf.*

Which Oath the Secretary of this Iſland, or his lawful Deputy, is hereby impowered and required to adminiſter, under the Penalty of Twenty Pounds for each Neglect or Refuſal.

Carrying off Negroes, &c. Felony.

VI. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons that ſhall run away with or carry off, or attempt to run away with or carry off any other

other Perſon's white Servant, Negro or Negroes from this Iſland, and be taken in the Attempt, and convicted thereof, ſhall be guilty of Felony, without Benefit of Clergy, and ſuffer as ſuch; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1736.

VII. AND whereas by an Act, intituled, *An Act for regulating Servants*, ſufficient Proviſions have not been made to decide Differences between Maſters and Servants: For Remedy whereof, be it further enacted by the Authority aforeſaid, That in caſe any Servant, either indented or hired, ſhall any ways misbehave himſelf during the Time of ſuch his Indenture, Service, or Contract; on Complaint thereof, or of any ſuch Miſdemeanor or Misbehaviour, ſuch Juſtice ſhall either aſſociate or call in ſome other Juſtice in the Pariſh where the Crime or Offence ſhall be committed, and the ſaid Juſtices are hereby impowered to hear and determine ſuch Complaint, and to inflict ſuch Puniſhment as to them ſhall ſeem convenient, according to the Nature of the Caſe, not extending to Life or Member; which Judgement the Provoſt-martial, or his lawful Deputy, in the Precinct where ſuch Trial has been, ſhall execute, under the Penalty of Fifty Pounds; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Injunction, *Non vult ulterius proſequi*, or Wager of Law ſhall be granted or allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Juſtices to inflict Puniſhment on Servants misbehaving themſelves.

VIII. AND be it further enacted by the Authority aforeſaid, That all Differences hereafter to ariſe between Maſters and Servants, hired, contracted, or indented (Overſeers of Sugar Works, or Sugar Plantations, excepted) ſhall be fully heard and determined before any two Juſtices of the Peace of the Pariſh or Precinct where any ſuch Difference ſhall happen or ariſe, without Appeal from any ſuch Determination, although the Sum or Sums of Money ſo determined or adjudged ſhall exceed Forty Shillings, or Twenty Pounds, or any other Sum whatſoever; one Act, intituled, *An Act impowering Juſtices of the Peace to decide Differences not exceeding Forty Shillings*; and one other Act, intituled, *An Act for eſtabliſhing Courts, and directing the Marſhal's Proceedings*, or any other Act, Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Differences between Maſters and Servants, &c. to be decided by two Juſtices.

IX. AND be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures in this Act mentioned, ſhall be one Moiety, or Half-part thereof to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety or Half-part to the Informer, or him or them that ſhall proſecute for the ſame.

Penalties how to be levied and applied.

X. AND be it further enacted by the Authority aforeſaid, That the Receiver General do, within one Month after the paſſing of this Act, cauſe the ſame to be put into the *Courant* three ſeveral Times; one of which *Courants* ſhall be tranſmitted to the Judges of the ſeveral Courts of this Iſland, and to the ſeveral *Cuſtos's* and Commanding Officers in each Pariſh, to be read at every Quarter-ſeſſions, and at the Head of every Company of the Militia in this Iſland, the Charge whereof ſhall be allowed him out of any Money unappropriated in his Hands; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

This Act to be printed in the *Courant*, &c.

An Act for repealing an Act, intituled, An Act for the Eaſe of the Inhabitants of the Pariſh of St. *James; and appointing the Place for holding the Courts of Quarter-ſeſſions, Common-pleas, and other publick Buſineſs of the Pariſh.* № 380.

WHEREAS by the ſaid Act, intituled, *An Act for the Eaſe of the Inhabitants of the Pariſh of St.* James, paſſed in *Auguſt*, One thouſand ſeven hundred and thirty three, the Elections of Members to ſerve as Repreſentatives in Aſſemblies, Church-wardens, Veſtrymen, Surveyors of the Highways, and the Courts of Quarter-ſeſſions, Common-pleas, and all Veſtries and Trials of Slaves in that Pariſh, were to be held in ſome convenient Place in the Pariſh, not more than half a Mile diſtant from *Mattabree River*, and within ſeven Miles from the Mouth thereof, to be aſcertained and appointed in Manner in the ſaid Act mentioned, under the Penalties therein expreſſed, as by the Act may more fully appear: And whereas the Place of meeting, purſuant to the ſaid Act appointed, being far diſtant from the greateſt Part of the principal and other Inhabitants of the ſaid Pariſh, hath of late been found very dangerous and inconvenient, on account of the rebellious Negroes, and many other Occaſions: For Remedy whereof for the future, may it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That the ſaid Act, intituled, *An Act for the Eaſe of the Inhabitants of the Pariſh of St.* James, and every Clauſe, Matter, and Thing therein contained, be and ſtand, and is and are hereby repealed.

Clauſe to repeal a former Act.

II. AND that for the future the Elections of Members to ſerve as Repreſentatives in Aſſemblies, Church-wardens, Veſtrymen, and Surveyors of the Highways, the Courts of

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Quarter-ſeſſions and Common-pleas, and all Veſtries and Trials of Slaves in the ſaid Pariſh, ſhall be held at ſome convenient Place within two Miles of the Mouth of *Little River*, and at ſuch Place as ſhall be aſcertained and appointed by the Juſtices and Veſtry of the ſaid Pariſh, or the major Part of them, on or before the firſt Day of *January* next; and that no Perſon or Perſons whatſoever preſume to appoint or make uſe of any other Place for the Purpoſes aforeſaid, or any of them, upon Penalty of Fifty Pounds for every Offence; to be recovered in any Court of Record within this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Injunction, Imparlance, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Where Elections, &c. are to be held.

Penalty on making uſe of any other Place.

III. And that if the ſaid Juſtices and Veſtry ſhall neglect, refuſe, or delay aſcertaining and appointing the Place aforeſaid within the Time limited by this Act, then every Juſtice and Veſtryman ſo neglecting, refuſing, or delaying the ſame, or his Duty therein, ſhall reſpectively forfeit the Sum of Fifty Pounds, to be recovered in Manner and Form aforeſaid; one Half of all which Penalties and Forfeitures ſhall be to the Uſe of Parties, and the other Half to ſuch Perſon or Perſons as ſhall inform or ſue for the ſame.

Penalty on Juſtices, &c. neglecting, to appoint the aforeſaid Place within the Time limited.

IV. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland ſhall, within ten Days next after the paſſing of this Act, tranſmit a Copy thereof to the *Cuſtos* and Juſtices of the ſaid Pariſh; for which he ſhall be paid Twenty Shillings, and no more, on Penalty of Five Pounds; to be recovered and applied as aforeſaid.

Secretary to tranſmit a Copy of this Act to the *Cuſtos*, &c.

V. And that the Church-wardens of the ſaid Pariſh do within ſixty Days next pay the ſame, and all other Charges of this Act, out of the Pariſh Tax, raiſed or to be raiſed in or for the ſaid Pariſh, on Penalty of One hundred Pounds; to be alſo recovered and applied as aforeſaid.

Charges of this Act to be paid out of the Pariſh Stock.

N° 381. *An Act for regulating of Pilots.*

WHEREAS the Ships of War his Majeſty is pleaſed to ſend hither from time to time for the Protection and Security of this Iſland, as well as the Trade and Navigation from all Parts, are greatly expoſed, through the Ignorance and unskilfulneſs of ſeveral Perſons pretending to be Pilots, who are not qualified for ſo great a Truſt, and by Negroes being frequently employed in that Service, the Conſequence of which may be very pernicious, if not deſtructive, to this Iſland, as well as to Trade: For Remedy whereof, we humbly beſeech your moſt Excellent Majeſty that it may be enacted; and it is hereby enacted by the Preſident, Council, and Aſſembly of the Iſland of *Jamaica*, That from and after the paſſing of this Act, no Perſon ſhall preſume to act, or take upon himſelf the Charge of any Ship or other Veſſel, as a Pilot, without firſt obtaining a Certificate under the Hands and Seals of the Commiſſioners hereafter to be appointed for that Purpoſe, and taking the following Oath before the *Cuſtos Rotulorum* of *Port Royal* or *Kingſton*, or any two Magiſtrates of the ſaid Towns, who are likewiſe obliged to give a Certificate of the ſame under their Hands and Seals:

Pilots to have a Certificate from the Commiſſioners,

and take this Oath,

I A. B. *do ſwear, That I will faithfully, diligently, and truly pilot all Ships and other Veſſels intruſted to my Care, to the beſt of my Skill and Knowledge; and that I will not undertake to conduct any Ship or other Veſſel into or out of any Harbour, Port, Creek, or Bay of this Iſland, where I am not well acquainted with the Channel, Shoals, and Quays:*

So help me God.

under the Penalty of 500 *l.* and a Year's Impriſonment.

II. And if any Perſon ſhall take upon him the Charge of piloting any Ship or other Veſſel, who is not qualified, or has not obtained proper Certificates in the Manner aforeſaid, every ſuch Perſon ſhall forfeit the Sum of Five hundred Pounds, and ſuffer Twelve Months Impriſonment; one Half of which Penalty of Five hundred Pounds ſhall be to his Majeſty, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or him, her, or them who ſhall ſue or proſecute for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The Governor to appoint 7 Commiſſioners.

III. And be it further enacted by the Authority aforeſaid, That the Governor, or Commander in Chief for the time being, be, and he is hereby deſired and impowered to appoint Seven able and experienced Maſters and Commanders of Merchant Ships, and other Veſſels, to be Commiſſioners, for the Examination and Appointment of Pilots in the Manner aforeſaid.

Penalty on Perſons employing Negroes to pilot Ships.

IV. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall hereafter employ a Negro to take Charge of a Ship, or other Veſſel, as a Pilot, under the Penalty of Fifty Pounds; and whoſoever ſhall offer, or hire out a Negro to be employed in that Service, ſhall be under the like Penalty; to be recovered before any Two Judges of the Supreme or Grand Court, or Three Juſtices of the Peace; one Half to the Informer, or Perſon that ſhall proſecute for the ſame; and the other Half to the Poor of the Pariſh where the Offender reſides.

V. Provided

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V. PROVIDED nevertheleſs, That in regard there is not at preſent a ſufficient Number of Pilots for the Trade, eſpecially upon the coming in or going out of a Fleet, or any Number of Ships; be it enacted by the Authority aforeſaid, That *Maryland* and *Briſtol*, belonging to *Joſeph Wait*, of *Port Royal*, and *Deptford* and *Blackwall*, belonging to *Edward Glaſs*, of the ſame Place, or either of them, ſhall and may, at the coming in or going out of a Fleet, or any Number of Ships, in caſe a ſufficient Number of white Pilots ſhould not offer themſelves, take charge of any Ship or other Veſſel, for and during the Space of Six Months from and after the paſſing of this Act; any thing to the contrary in this or any other Act notwithſtanding. Proviſo.

VI. AND for the Encouragement of good and able Pilots, be it enacted by the Authority aforeſaid, That all Merchant Ships, and other Veſſels, bound into *Port Royal*, or into any Harbour, Bay, or Creek of this Iſland, be, and are hereby obliged to make uſe of the firſt Pilot that ſhall tender his Service, or be obliged, in caſe of Refuſal, to pay the Fee appointed by this Act; to be recovered before any One of his Majeſty's Juſtices of the Peace. Merchant Ships to take the firſt Pilot that offers himſelf, or pay the Fee.

VII. PROVIDED nevertheleſs, That no Pilot ſhall be intitled to his Fee or Gratuity for bringing in any Ship or other Veſſel, unleſs he is taken on Board, or tenders his Service at leaſt one League to the Eaſtward of *Plumb Point*, or the ſame Diſtance beyond any Quay or Shoal without that or any other Harbour, Port, Bay, or Creek in this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Proviſo.

VIII. AND be it further enacted by the Authority aforeſaid, That all Merchant Ships and other Veſſels, ſhall hereafter pay the following Rates or Fees for piloting, to be recovered before any One of his Majeſty's Juſtices of the Peace; *viz.* For piloting a Ship into *Port Royal*, Two Pounds; for a Brigantine, or Snow, Thirty Shillings; and for a Sloop, or Scooner, Twenty Shillings; and the like Sums for carrying any of them out of the Harbour, clear of the Quays or Shoals; for piloting a Ship into *Old Harbour*, Six Pounds; for piloting a Brigantine, or Snow, Three Pounds; for a Sloop, or Scooner, Thirty Shillings; and the like Sum for carrying any of them out again, clear of the Quays or Shoals; and that they ſhall have and receive for piloting a Ship into any other Port, Harbour, Bay, or Creek of this Iſland, Three Pounds; for a Brigantine, or Snow, Thirty Shillings; and for a Sloop, or Scooner, Twenty Shillings; and the like Sum for carrying them out again. Rates for piloting.

IX. AND be it further enacted by the Authority aforeſaid, That the Pilots of *Port Royal* and *Kingſton* ſhall, at their own proper Coſts and Charge, buoy out or ſtake the Chanel between thoſe Two Harbours; and from time to time keep them in ſufficient Repair, and make them good, under the Penalty of Fifty Pounds for every Offence. Pilots to take care of the Chanel.

X. AND be it further enacted by the Authority aforeſaid, That all Foreign Ships, or other Veſſels, bound from *Port Royal* to *Kingſton*, or from *Kingſton* to *Port Royal*, ſhall be, and are hereby obliged to make uſe of a Pilot, or to pay the following Fee to the firſt Pilot that tenders his Service, in caſe of Refuſal; *viz.* For a Ship, Two Pounds; for a Brigantine, or Snow, One Pound Ten Shillings; and for a Sloop, or Scooner, One Pound, for bringing them from *Port Royal* to *Kingſton*, and the ſame Sums for carrying them down. Foreign Ships to make uſe of a Pilot, or pay the Fee.

XI. AND be it further enacted by the Authority aforeſaid, That for the further Encouragement of the Pilots, and to prevent at any time the Delay or Detainment of any Ship or Veſſel, the Pilots are hereby exempted from ſerving in any parochial or publick Duty or Office, the Militia only excepted. Pilots exempted from parochial Duties, &c.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes, for ſubſiſting the Officers and Soldiers of the Eight Independent Companies, and preventing the Exportation of ſeveral Commodities into the French *and* Spaniſh *Iſlands.* № 382. Expired.

An Act for impoſing a Duty on all Rum, and other Spirits, or Strong Waters retailed in this Iſland, and on all Wines, and Foreign Spirits, and applying the ſame to ſeveral Uſes; and appointing Commiſſioners for ſettling the publick Accounts. № 383. Expired.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Peo- № 384. Expired.

1736. *ple, or pay certain Sums of Money in caſe they ſhall be deficient ; and applying the ſame to ſeveral Uſes.*

№° 385. *An Act to explain an Act, intituled,* An Act for regulating of Pilots, *paſſed in* November, *One thouſand ſeven hundred and thirty ſix.*

WHEREAS, from the Scarcity of Pilots, occaſioned through the too great Reſtrictions and Difficulties of obtaining ſuch Requiſites as are neceſſary for a qualified Pilot, within the Intent and Meaning of an Act, intituled, *An Act for regulating of Pilots*, ſeveral Ships and other Veſſels from *Great Britain*, and other Parts, have been in Danger of being loſt upon this Coaſt ; to the great Diſcontent of the Owners, Proprietors, and others concerned ; and great Loſs and Damage may happen to his Majeſty's Subjects, and others, by the Want of a ſufficient Number of able qualified Pilots, unleſs timely prevented : For Remedy of which, may it pleaſe your moſt Excellent Majeſty that it may be enacted ; be it therefore enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted and ordained by the Authority of the ſame,

Pilots to be appointed without a Certificate.

That it ſhall and may be lawful for the Preſident, or Commander in Chief of this Iſland for the time being, to authorize and appoint ſuch white Perſon and Perſons as ſhall be recommended to him, and that ſhall have taken ſuch Oath in ſuch Manner, and before ſuch Magiſtrate, and that is otherwiſe qualified, as in and by the ſaid Act is directed, although they have not obtained ſuch Certificate as by the ſaid Act is required.

The Chanel to be buoyed out in Three Months.

II. AND be it further enacted by the Authority aforeſaid, That the Chanel between *Port Royal* and *Kingſton* ſhall be buoyed out, as in and by the ſaid Act is directed, within the Space of Three Months, under the Penalty of Two hundred Pounds.

How far Pilots are to attend.

III. AND be it further enacted by the Authority aforeſaid, That the Pilots, to intitle themſelves to Pilotage, ſhall attend one League at leaſt to the Eaſtward of *Yellows Bay*.

Preſident may appoint Negroes on a Deficiency of white Pilots.

IV. AND be it further enacted by the Authority aforeſaid, That until there be a ſufficient Number of qualified white Pilots, or in caſe of the Death or Sickneſs of the Negro Pilots allowed by the ſaid Act, it ſhall and may be lawful for the Preſident, or Commander in Chief of this Iſland for the time being, to appoint ſuch and ſo many other Negro Pilots, for whoſe Skill, Diligence, and Ability the Maſter or Owner ſhall be anſwerable, as ſhall be found neceſſary.

Differences how to be determined.

V. AND be it further enacted by the Authority aforeſaid, That no Sugar-droger or Turtler ſhall be deemed or taken to be within the Intent or Meaning of the ſaid Act; and all Differences and Diſputes that may happen between the Pilot or Commander of any Veſſel, ſhall be heard and finally determined by any Two Juſtices of the Peace of the Pariſhes or Precincts of *Port Royal* or *Kingſton*, upon Application to them made to that end.

Penalties how to be recovered and applied.

VI. AND be it further enacted by the Authority aforeſaid, That all Penalties in this Act mentioned, ſhall be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Injunction, Imparlance, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered ; and one Moiety thereof ſhall be to the Uſe of his Majeſty, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof ; and the other Moiety to the Informer, or him, her, or them who ſhall ſue or proſecute for the ſame ; any thing in the ſaid Act, or any other Law, Cuſtom, or Uſage to the contrary notwithſtanding.

1737. №° 386. *An Act to enable the Inhabitants of the Pariſh of* St. Anne *to build a Barrack at or near the Head of* Rio Bueno, *which divides the Pariſh of* St. Anne *from the Pariſh of* St. James, *and to exempt them from their further contributing to the building of any other Barrack ; and for paying the Officers of the Barrack at the* Little Maneagne.

WHEREAS the building a Barrack near the Head of *Rio Bueno*, which divides the Pariſh of St. *Anne* from the Pariſh of St. *James*, will be of the greateſt Advantage to the Inhabitants of the ſaid Pariſh of St. *Anne*, and particularly to thoſe of the Weſtermoſt Part thereof : Therefore, for the effecting the ſame, may it pleaſe your moſt Excellent Majeſty that it may be enacted ; be it therefore enacted by the Preſident, Coun-

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cil, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That Forty Acres of Land, at or near the Head of *Rio Bueno* abovementioned, be, and the ſame is hereby veſted in his Majeſty, his Heirs, and Succeſſors, for the Uſe of the ſaid Barrack; any former Patent, Grant, or Conveyance, Title, or Poſſeſſion thereof, or of any Part thereof, notwithſtanding. Land veſted in the Crown for a Barrack.

II. PROVIDED, The ſaid Forty Acres of Land, ſo veſted or to be veſted in his Majeſty, his Heirs, and Succeſſors, for the Uſe of the ſaid Barrack, be not within Two Miles of any Settlement already made; and that the ſame be laid out with as little Prejudice to any Perſon, as conveniently may be. Proviſo

III. AND be it further enacted by the Authority aforeſaid, That the ſaid Forty Acres of Land, veſted or to be veſted in his Majeſty, his Heirs, and Succeſſors, as aforeſaid, ſhall, within Two Calender Months from the paſſing this Act, be run out and aſcertained in Manner aforeſaid, by any ſworn Surveyor, at the Rates by Law now allowed other Surveyors for the like Service, and in ſuch Manner as ſhall be appointed by the Juſtices and Veſtry of the ſaid Pariſh of St. *Anne*, or the major Part of them; and that the Plat of the ſaid Forty Acres of Land, when ſo run out and ſurveyed, ſhall be returned into the Secretary's Office of this Iſland, and there enrolled. The ſaid Land to be ſurveyed, &c.

IV. AND be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the Pariſh of St. *Anne*, or the major Part of them, be, and they are hereby impowered and required, within Twelve Calender Months from the paſſing of this Act, to build a ſtone Barrack, with Flankers, of ſuch Largeneſs, Dimenſions, and Proportions, and in Manner and Form, as the Juſtices and Veſtry of the ſaid Pariſh of St. *Anne*, or the major Part of them, ſhall judge ſufficient for the Habitation and Dwelling of Forty Men and their Officers; and that the Inhabitants of the ſaid Pariſh of St. *Anne* ſhall from time to time keep the ſaid Barrack, from the building thereof, well manned, with the Number of Forty able and ſufficient Men, beſides Officers, Five and twenty of which Men ſhall be good and able Shot; and that the ſaid Men be from time to time provided and furniſhed with ſufficient and good Arms and Ammunition (which ſhall be conſtantly kept clean, and in good Order) and alſo with ſufficient and wholeſome Meat, Drink, Cloaths, and all other Neceſſaries requiſite and convenient for them. A Barrack to be built thereon, and manned with 40 Men

V. AND for the finding and providing the ſaid Forty Men, and upholding and keeping up ſuch Number from time to time, as Occaſion ſhall be or require, as well as providing, finding, and ſupplying them in Manner aforeſaid, with all Manner of needful and neceſſary Proviſion, Ammunition, and Apparel; be it enacted and ordained by the Authority aforeſaid, That the Juſtices and Veſtry of the ſaid Pariſh of St. *Anne* for the time being, be, and they are hereby impowered, authorized, and required to do the ſame in like Manner as the other Barracks in this Iſland are to be furniſhed, upheld, ſupplied, or maintained, or by laying, levying, aſſeſſing, and collecting a Tax on the Pariſhioners of the ſaid Pariſh for thoſe Purpoſes, in ſuch Manner as the Pariſh Tax is uſually laid, aſſeſſed, levied, and collected in this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. The Tax how to be raiſed.

VI. AND be it further enacted by the Authority aforeſaid, That the ſaid Men to be placed in the ſaid Barrack ſo to be built in the Pariſh of St. *Anne*, as aforeſaid, ſhall be under, and ſubject to the like Orders, Diſcipline, Regulations, and Penalties, as the Men in, or to be placed in any of the other Barracks of this Iſland, by the Barracking Laws, or either of them, are under, or to be liable or ſubject to. The Men to be ſubject to the Barracking Laws.

VII. AND be it further enacted by the Authority aforeſaid, That the ſaid Forty Men ſhall be commanded by a Captain, one Lieutenant, and a Serjeant, to be from time to time appointed by the Commander in Chief of this Iſland for the time being; and ſhall be paid out of the ſaid Tax ſo to be raiſed, collected, and paid, as aforeſaid, by monthly Payments, the reſpective Sums following; *to wit*, To the Captain, Eight Pounds *per* Month; the Lieutenant, Six Pounds *per* Month; and the Serjeant, Four Pounds *per* Month, and no more. Their Pay.

VII. AND whereas ſome Doubts or Diſputes may ariſe between the Pariſhes of St. *John* and St. *Dorothy*, with reſpect to paying the Officers and Surgeon belonging or to belong to the Barrack at the *Little Maneagne*; be it therefore enacted by the Authority aforeſaid, That the Sum of Ten Pounds *per* Month be paid to the Captain of the ſaid Barrack, and the like Sum to the Surgeon; and that the ſame, as well as all the other Expences in paying of Officers, and ſupporting the ſaid Barrack, ſhall be at the Charges of the ſaid Pariſhes reſpectively, in Proportion to the Number of Negroes and Cattle in each Pariſh. Rate on the Pariſhes of St. *John* and St. *Dorothy*.

IX. AND be it further enacted by the Authority aforeſaid, That the Inhabitants of the ſaid Pariſh of St. *Anne* do proceed and advance the building and erecting the Barrack at *Norman's Valley* in the Pariſh of St. *James*, purſuant to the Directions of the Barracking Acts, for Three Months from the paſſing of this Act; and that from and after the Expiration of the ſaid Three Months, the Inhabitants of the ſaid Pariſh of St. *Anne* ſhall be, and they are hereby free and exempt from contributing to, or aſſiſting in the building, carrying on, or ſupporting, by Men, or otherwiſe, the Barrack built or to be built at or near *Norman's Valley* aforeſaid, or any other Barrack in this Iſland; the Barracking St. *Anne's* Pariſh exempted from ſupporting any other Barracks.

Laws

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1737. Laws herein before mentioned, *to wit*, one Act, intituled, *An Act for the better ſettling and ſecuring the Iſland; and veſting ſeveral Parcels of Land in the Crown; and for building of Barracks, and fitting out of Parties, for the reducing the rebellious Negroes, and cutting of Roads*; and one other Act, intituled, *An Act for the Eaſe and Relief of the Inhabitants of this Iſland, in building Barracks, and remedying and ſupplying ſome Defects and Omiſſions in the late Barracking Law*; or any other Act or Law to the contrary notwithſtanding.

Penalty on offending againſt this Act, &c.

X. AND be it further enacted by the Authority aforeſaid, That every Perſon who ſhall in any thing offend, or act contrary to the true Intent and Meaning of this Act, or in any thing neglect, or not perform his Duty, according to the true Meaning hereof, ſhall, for every ſuch Offence or Neglect, forfeit the Sum of Ten Pounds; to be recovered in any Court of Record in this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Imparlance, or Injunction ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; one Moiety of all which Penalties ſhall be to his Majeſty, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to him or them who ſhall inform, ſue, or proſecute for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

№ 387. Expired. *An Act to enable the Conſtables of the ſeveral Pariſhes in this Iſland to make Diſtreſs as uſual, in collecting and receiving the Deficiency Tax, from the Twenty eighth of* March, *One thouſand ſeven hundred and thirty ſeven, to the Twenty eight of* March, *One thouſand ſeven hundred and thirty eight; and impowering the Church wardens and Conſtables of the ſaid Pariſhes to receive and retain their ſeveral Commiſſions on the ſaid Tax as uſual.*

№ 388. *An Act for the better preſerving the publick Records of this Iſland.*

WHEREAS many of the publick Records of this Iſland were damaged by the late violent Hurricane, and by the Length of Time are much decayed; by which the Inhabitants of this Iſland are much endangered in their Properties and Eſtates: And whereas the Secretary of this Iſland has, in purſuance of a Reſolution of the Aſſembly of the Twenty ſixth Day of *November*, One thouſand ſeven hundred and thirty ſix, tranſcribed ſeveral Books of the ſaid decayed Records, except ſuch Parts as were not legible, into new Books; and in like Manner tranſcribed Parts of other decayed Books of Records into ſupplemental Books; and alſo tranſcribed the two firſt Books of the Laws of this Iſland into new Books: May it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Preſident, Council, and Aſſembly of this your Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That the ſaid ſeveral Tranſcripts ſhall be deemed, and are hereby declared to be valid, legal, and effectual Records, to all Intents and Purpoſes whatſoever, as the original Records themſelves were before the making this Act.

Tranſcripts of Records to be deemed valid.

Secretary to make Oath, that the ſaid Tranſcripts are true Copies;

II. PROVIDED nevertheleſs, the ſaid Secretary ſhall make Affidavit, before the Chief Juſtice for time being, or before any Judge of the Supreme Court of Judicature of this Iſland, who are hereby impowered and required to take the ſame, That the ſaid ſeveral Tranſcripts have carefully been examined by him, and are true and exact Copies of their ſeveral Records, before the ſaid Tranſcripts, or Copies, ſhall be as valid, legal, and effectual Records, as aforeſaid; which Affidavit the ſaid Secretary is hereby required to make, and enter in each particular Book of Tranſcripts, or Copies, within ſix Weeks from and immediately after the paſſing this Act into a Law, under the Penalty of Five hundred Pounds.

to keep the Records, &c. in good Repair;

III. AND whereas the Publick has been at great Expence, from time to Time, in order to preſerve the publick Records and Deeds of this Iſland: And as it is reaſonable, that the Secretary, who receives great Profit from ſearching the ſaid Deeds and Records, by which they are worn out, ſhould keep the ſame in good order and repair; it is enacted by the Authority aforeſaid, That the preſent Secretary ſhall be obliged, under the Penalty of One thouſand Pounds, to keep the ſeveral Deeds, Records, and Alphabets in his Office, in good order and repair, at his own proper Coſts and Charge; and have alſo fairly tranſcribed Copies of ſuch Deeds and Records as ſhall be impaired by frequent Uſe, or decayed by Time: And that every future Secretary ſhall be obliged, under the Penalty of Five thouſand Pounds, before his Entrance upon the Office, to give Bond, with good and ſufficient Security to our Sovereign Lord the King, his Heirs and Succeſſors, That he will, from time to time, at his own Coſt and Charge, keep in good order the Deeds, Records, and Alphabets of his Office; and have

have Copies fairly tranſcribed of ſuch Deeds, Records, and Alphabets, as ſhall any ways require ſuch tranſcribing.

IV. It is hereby further enacted, That every Deed and Record ſo tranſcribed, ſhall be carefully examined by the Secretary for the time being; and he is hereby obliged, under the Penalty of Five hundred Pounds, to repair to the Chief Juſtice for the time being, and make Oath, that he has had the ſame faithfully tranſcribed, and that he has carefully examined it himſelf; which Oath the Chief Juſtice is hereby impowered and required to adminiſter; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: And every Deed and Record ſo tranſcribed, examined, and ſworn to, ſhall be deemed authentick, valid, and effectual.

to make Oath, that he hath examinedthem himſelf,

V. AND be it further enacted by the Authority aforeſaid, That the preſent Secretary cauſe a Liſt, or Inventory of all the Books of Record in his Office to be made in ſix Months after the paſſing of this Act: And that for the future, all Secretaries, or Perſons acting as ſuch, upon delivering Poſſeſſion, or leaving the ſaid Office, be obliged to deliver ſuch Inventories to all new Secretaries; which ſaid Inventories ſhall be ſigned by the ſaid new Secretaries, and the Perſons delivering Poſſeſſion of the ſaid Office, as aforeſaid; and that the ſaid Inventories ſhall be entered in a fair written Book, to be kept for that Purpoſe in the ſaid Secretary's Office, and a Copy of the ſame ſent, ſigned as aforeſaid, to the Clerk of the Supreme Court's Office; which ſaid Inventories, or Copies, ſhall be good Evidence againſt the ſaid Secretaries, or any of them, in caſe of any Embezilment of the ſaid Books of Record: And the preſent Secretary, and all other Secretaries for the future, who ſhall neglect or refuſe to take or ſign ſuch Inventories, or cauſe ſuch Copies to be made and ſigned, as aforeſaid; ſhall for every ſuch Neglect or Refuſal forfeit the Sum of One thouſand Pounds.

and to keep a Liſt of the Records in his Office,

or forfeit 1000*l.*

VI. AND be it further enacted by the Authority aforeſaid, That all Penalties in this Act mentioned, ſhall be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information; wherein no Eſſoin, Protection, Wager of Law, or Injunction ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; and one Moiety thereof ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or him or them who ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalties how to be recover'd and applied.

An Act for effectually ſettling the Pariſh of Portland, *by veſting all the unſettled Lands in the ſaid Pariſh in the Crown.* № 389.

WHEREAS ſeveral Acts of the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica* have been made, for ſettling the North-eaſt Part thereof; and ſeveral Proviſoes, or Clauſes of Indulgence, have been inſerted therein, allowing to the Proprietors of unſettled Lands, within the ſaid Pariſh certain Terms, or Spaces of Time, to ſettle the ſame, in Hopes ſuch Indulgences would have encouraged them thereto; but as ſuch Proprietors have made no other Uſe of the ſaid Indulgences, than to keep up their Claims, and thereby prevent the ſaid Lands being ſettled: To the Intent therefore that no Part of the ſaid Pariſh may remain unſettled and that all ſuch Perſons who have ſettled on any of the unſettled Lands, by virtue of ſubſequent Patents, may have a good and firm Title to ſuch Lands on which they are ſo ſettled, may it pleaſe your Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Preſident, Council and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That all and every the ſaid Proviſoes, or Clauſes of Indulgence, in whatſoever Law or Act contained, ſhall be, and are hereby declared to be terminated, and become void, and ſhall be conſtrued, deemed, and taken ſo to be; and that all the unſettled Lands in the ſaid Pariſh, which any Perſon or Perſons may now, or ſhall hereafter claim by virtue thereof, or of any former Grant, ſhall be, and hereby are abſolutely veſted in your Majeſty, your Heirs and Succeſſors, to and for the Uſes, Intents, and Purpoſes hereafter mentioned; that is to ſay, That the Preſident, Governor, or Commander in Chief for the time being, ſhall be, and he is hereby impowered and obliged to grant the ſaid unſettled Lands, under the Broad Seal of this Iſland, to ſuch Perſons as ſhall apply for the ſame, and to their Heirs, in ſuch Quantities, Shares, and Proportions, and on and under ſuch Conditions, Limitations, and Reſtrictions, as is mentioned, ſet forth, and contained in an Act, intituled, *An Explanatory Act, for the further encouraging the ſettling of the Pariſh of* Portland.

Indulgences granted by any former Acts declared void.

II. AND be it further enacted by the Authority aforeſaid, That all Perſons who have obtained ſubſequent Grants for the ſaid unſettled Lands, either within the Tract of thirty thouſand Acres already veſted in your Majeſty, or in any other Part of the ſaid Pariſh, and have begun and carried on a Settlement or Settlements thereon, ſhall be, and they hereby have confirmed to them and their Heirs, a good, firm, and lawful Title to the ſame, againſt all and every other, and former Grant, Claim, and Demand whatſoever.

Perſons who have obtained ſubſequent Grants, have their Titles confirmed.

III. PROVIDED always, That ſuch new Grantees do continue to carry on a Settlement or Settlements on ſuch their Lands, in ſuch Manner and Form, as is by the ſaid Explanatory Act directed and appointed.

Proviſo.

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An Account to be delivered to the Commissioners, of the Number of Acres each Person possesses.

IV. And to prevent Persons from taking up and patenting more Land than they are able or willing to settle; and that it may be perfectly known what Number of Acres each Person hath in the said Parish, with the Date of their Patents, and Number of their white Men and Slaves; be it enacted by the Authority aforesaid, That the Commissioners, or any Three of them, shall meet at a certain Place, to be by them or any Three of them appointed, once in every Year, to receive from the several Freeholders, or Patentees of Land within the said Parish, an Account of the Number of Acres each Person hath, with the Date of their Patents, and the Number of their white Men and Slaves.

Commissioners to issue Warrants to summon Freeholders.

V. And that the said several Freeholders, or Patentees, may have timely Notice of such Meetings, be it enacted by the Authority aforesaid, That the Commissioners, or any Two of them, shall be, and are hereby obliged, ten Days before every yearly Meeting, to Issue out their Warrant, under their Hands and Seals, directed to the Constable or Constables of the said Parish, thereby commanding him or them, three Days before the said yearly Meeting, to summon all and every the said several Freeholders or Patentees, their Overseers, Managers, or Book-keepers, as well as the Commissioners, or as many of them as are resident in the said Parish, to meet once in every Year, as aforesaid, according to the Directions and Appointment of the said Warrant in that Behalf to be issued, to render and give a just Account in their several Capacities, and take the following Oath:

Their Oath.

I A. B. *do swear, That I, or my Employer, hath or had, on the Day residing upon, or belonging unto my, his, or her Estate, in this Parish, white Servant-men, and Slaves, the white Men indented, or, really and* bona fide *hired, for the Space of three Months: And that neither I, nor my Employer, hath frudulently, or with an Intent to evade the true Intent and Meaning of this Act, and the said Explanatory Act, brought to, or put on my, or his, or her said Estate, either white Men or Slaves.*

So help me God.

Which Oath the said Commissioners are hereby impowered to administer.

Clause in Favour of Persons living at a great Distance.

VI. But whereas it is possible that several Persons may hereafter reside and have their Plantations in the remote Parts of the said Parish, and at a great Distance from the Place where the Commissioners may hold their said yearly Meetings, or that the Roads may be extreamly bad, or the Rivers deep, and dangerous to cross, and therefore cannot conveniently be present at the said Meetings, to give in their said Accounts by themselves or their Servants: For the Ease of such Persons, and that People may not be drawn for their Habitations, be it enacted by the Authority aforesaid, That such Account and Accounts of Land, white Men, and Slaves, as are hereby directed and appointed to be given in upon Oath before the Commissioners at their said yearly Meetings, shall and may for such Inhabitants be given in within the Time limited by this Act, upon Oath made before any one Commissioner, and subscribed by the Person deposing, and annexed to the said Account; any thing herein contained to the contrary in any wise notwithstanding: Which Account so proved, shall be remitted to the Commissioners within the Time limited, as aforesaid.

Accounts to be recorded.

VII. And be it further enacted by the Authority aforesaid, That the Commissioners shall cause all the Accounts by them taken at their said yearly Meetings, together with such as shall be given in and sworn to before any single Commissioner, and remitted to them, to be recorded in a good and well bound Book, which the Church-warden or Church-wardens of the said Parish are hereby required and obliged for that Purpose to provide.

Penalty on Patentees refusing to deliver their Account.

VIII. And be it further enacted by the Authority aforesaid, That if any of the said Freeholders, or Patentees, shall refuse or neglect to give in their said Accounts, either before the Commissioners at their said yearly Meetings, or before some one Commissioner within the Time limited by this Law, or shall appear to be deficient in the Number of their white Men or Slaves; he, she, or they so offending, shall, for every such Refusal, Neglect or Deficiency forfeit the Sum of Fifty Pounds; to be recovered in a summary Way, by Warrant under the Hands and Seals of any Three Commissioners; and such Commissioners are hereby impowered and required to issue Warrants of Distress for the Recovery of such Sum and Sums of Money; and for want of Goods and Chattels, to commit such Offenders to Gaol till Payment thereof, unless it shall appear, that such Default did not happen through the Direction of the Master, but by the Neglect and Default of the Overseer or Person intrusted; and in such Case, the Overseer, or Person intrusted, shall be liable to such Forfeiture.

Proviso.

IX. Provided always, That no Warrant shall be granted for levying and collecting the said Forfeiture, unless it shall appear by Oath of the Constable, that the Party so offending had three Days Notice of such yearly Meeting.

A Docket of Patents to be recorded.

X. And that all Persons, who may desire to become Settlers in the said Parish, may readily know what Lands are patented and settled, as the said Explanatory Act directs; be it enacted by the Authority aforesaid, That all Patentees of Land within the said Parish, shall, within Six Months next after the passing of this Act, or Date of their Patents, bring their said Patents to the Commissioners, or any Three of them, who shall order a Docket thereof to be recorded in the said Book of Records, for which they shall pay to the Commissioners Clerk

Clerk two Shillings and ſix Pence, and no more; and all Perſons ſhall be at Liberty to ſearch the ſaid Book of Records. 1737.

XI. AND whereas it is by the ſaid explanatory Act enacted, That the Governor, or Commander in Chief for the time being, ſhould grant to every Perſon willing to become a Settler within the Tract of Land of thirty thouſand Acres, mentioned in two former Acts, a Quantity of Land, not exceeding five hundred Acres, in Proportion to the Number of Negroes and white Men they are willing and ready to put thereon, and perfect the Settlement thereof; and alſo a Lot of Land in the Town of *Titchfield*, to them, their Heirs and Aſſigns for ever; with a Condition, or Proviſo, in the ſaid Grant, that every Perſon ſo patenting any Parcel of Land, ſhould be obliged to build and erect a Houſe on ſuch his Lot in the ſaid Town within ſix Months from the Date of ſuch his Patent, and to maintain and repair the ſame, and to keep one white Perſon actually reſiding thereon at the leaſt, for and during the Term of four Years from and after the Expiration of the ſaid ſix Months; and alſo to begin and carry on a Settlement on his ſaid Land, in Proportion to the Number of Acres in it; *viz.* Two Negroes for every hundred Acres in his ſaid Grant; and if it contains five hundred Acres, then with one white Man, and ten Negroes at the leaſt, within the firſt twelve Months after the Date of ſuch his Patent; and alſo one other white Man and ten Negroes more at the leaſt on the ſaid Land, yearly and every Year after, till ſuch time as he hath put and ſettled thereon one white Man and ten Negroes for every hundred Acres contained in his Grant; and ſo in Proportion for a greater or leſſer Number of Acres, under the Penalty of forfeiting all the Lands ſo to him or them granted, and all his or their Right or Title thereto, to his Majeſty, his Heirs and Succeſſors; and from thence all ſuch Grants and Patents to ceaſe, and utterly to become void to all Intents and Purpoſes, and be veſted in his Majeſty, his Heirs and Succeſſors, and by him to be regranted, according to the Terms, Limitations, and Reſtrictions in the ſaid Explanatory Act mentioned, to ſuch other Perſons as ſhould deſire the ſame; any thing in the ſaid Act to the contrary notwithſtanding.

XII. AND whereas by an Act, intituled, *An Act for ſettling the North-eaſt Part of the Iſland*, it is enacted, That all other Lands within the Tract in the ſaid Act mentioned, other than the thirty thouſand Acres, as aforeſaid, which were then, or ſhould thereafter be veſted in his Majeſty, his Heirs and Succeſſors, ſhould be granted in the Name of his Majeſty, his Heirs and Succeſſors, in the ſame Manner and Proportion, and under ſuch Proviſoes, Conditions, and Reſtrictions, as the therein before mentioned thirty thouſand Acres were to be granted, and not otherwiſe; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding: Be it therefore enacted by the Authority aforeſaid, That all Perſons who ſhall deſire any Lot or Parcel of Land, which now is, or hereafter ſhall become forfeited, and reveſted in his Majeſty, his Heirs and Succeſſors, by virtue of this or the ſaid Explanatory Act, either within the ſaid Tract of thirty Thouſand Acres, or in any other Part of the ſaid Pariſh, and ſhall lay an Order thereon, and apply to the Commiſſioners or any Three of them for an Aſſignment thereof; the Commiſſioners, to whom ſuch Application ſhall be made, ſhall be and are hereby obliged to aſſign the ſame, ſetting forth in the ſaid Aſſignment, by whom the ſaid Lands were before patented, and for what the ſame became forfeited; which Aſſignment the ſaid Commiſſioners ſhall return in two Parts, under their Hands and Seals, the one of which ſhall be filed with the Clerk of the Patents, and the other ſhall be annexed to the Patent, and recorded with the ſame in the Secretary's Office of this Iſland within the Time limited for recording of Deeds and Patents: And all Patentees of Land within the ſaid Pariſh, who ſhall obtain Grants, and record the ſame in Manner aforeſaid, ſhall be, and hereby have a good, firm, and undeniable Title to the Lands ſo granted, againſt all other and former Patentees, as fully in every Reſpect as if the Lands ſo granted had been found forfeited and veſted in his Majeſty by a Jury, or Proclamation had been made thereof in his Majeſty's Supreme Court of Judicature, or any other Ways whatſoever. Provided always that ſuch new Grantee do ſettle the Lands ſo to him granted, according to the Conditions, Limitations, and Reſtrictions in this and the ſaid Explanatory Act mentioned. Provided alſo, That all Perſons who have Lots of Land in the Town of *Titchfield*, ſhall have ſix Months from the paſſing this Act to build thereon, and to comply with the Terms of the ſaid Explanatory Act, in caſe no new Grants have been made of ſuch Lots and Buildings erected by ſuch new Patentees; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Commiſſioners to aſſign forfeited Lands to any Perſons applying for the ſame.

XIII. AND whereas, for want of a Book of Records being hitherto kept in the ſaid Pariſh, it cannot be certainly known or proved whether any, and who in particular of the preſent Inhabitants of the ſaid Pariſh have been deficient, in duly complying with the Conditions of the ſaid Explanatory Act; be it therefore enacted by the Authority aforeſaid, That all ſuch Perſons who have patented any Lands in the ſaid Pariſh, and ſettled the ſame, and have continued to carry on a Settlement or Settlements thereon for the Space of five Years, ſhall be, and they hereby are deemed and allowed to have a good, firm, and lawful Title to their Lands ſo granted and ſettled; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Perſons who have patented Lands 5 Years to have a good Title thereto.

1737.

XIV. AND whereas it hath been Cuſtomary for Commiſſioners, ſingly and at different Times and Places, to aſſign Lands to new Settlers; which may occaſion Diſputes to ariſe, on account of Priority: For Prevention of which Inconveniency, be it enacted by the Authority aforeſaid, That from and after the paſſing of this Act, all Aſſignments of Lands, which ſhall not be duly executed by a *Quorum* of the Commiſſioners met together at ſome certain Place in the ſaid Pariſh, ſhall be null and void.

Proviſo.

Additional Commiſſioners.

XV. AND that there may be at all Times a ſufficient Number of Commiſſioners reſiding in the ſaid Pariſh to make a *Quorum*, be it enacted by the Authority aforeſaid, That *Samuel Brown* and *John Smith* Eſqrs. and *Francis Sparke* and *John Peeke Sutton*, Gent. be added to the Number of thoſe mentioned in other and former Acts.

Preſident to nominate new Commiſſioners, on the Death, &c. of any already appointed;

XVI. AND in order to keep up the Number of Commiſſioners for the future, it ſhall and may be lawful for the Preſident, Governor, or Commander in Chief for the time being, to nominate and appoint ſuch Perſon or Perſons to be Commiſſioners as to him ſhall ſeem meet, upon the Death, Removal, or other Incapacity of any of the ſaid Perſons already appointed by this or any other Act.

who are to take the Oath appointed to be taken by Commiſſioners.

XVII. AND be it further enacted by the Authority aforeſaid, That all Perſons nominated, deputed, and appointed by the Preſident, Governor, or Commander in Chief, ſhall, within three Months next after the Date of his Deputation, record the ſame in the ſaid Book of Records, and take the Oath appointed to be taken by the Commiſſioners, in an Act, intituled, *An Act to encourage white People to come over and become Settlers in this Iſland; and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof*; which Oath the reſt of the Commiſſioners, or any Three of them, are hereby impowered to adminiſter; and ſuch Perſon or Perſons ſo nominated, deputed, and appointed, and the ſaid Deputation recorded, ſhall and may, from and immediately after the taking the ſaid Oath, in all Things act as a Commiſſioner, in as full and ample a Manner, and be ſubject to the ſame Penalties, as if they had been named and appointed in this or any other Act.

Deſcription of *Portland* Pariſh.

XVIII. AND whereas by the Act, intituled, *An Act for ſettling the North-eaſt Part of the Iſland*, it is enacted, That all Lands within the Tract deſcribed in the Plat unto the ſaid Act annexed, were veſted or ſhould be veſted in his Majeſty: And whereas by the ſaid other Act, intituled, *An Act for encouraging white People to come over and become Settlers in this Iſland; and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof*, it is enacted, That the ſaid Lands, deſcribing them to be bounded North and North-eaſt by the Sea, from the Mouth of *White River* to the Weſtward of the Mouth of the River *Grandy*, thence directly South the Diſtance of fourteen Miles, then Eaſt till it meets with *Swift River*, thence South-eaſt forty nine Degrees to the Head of *Sulphur River*, and from thence in a ſtraight Line to *White River*, and alſo the Iſland called *Lynch's Iſland*, ſhould be, and for ever thereafter be taken and eſteemed, to all Intents and Purpoſes, an intire and diſtinct Pariſh, ſeparate from the Pariſhes of St. *George* and St. *Thomas in the Eaſt*, and be called and known by the Name of the Pariſh of *Portland*.

Proviſo.

XIX. PROVIDED always, That no Clauſe or Clauſes in the ſaid laſt mentioned, or any former Act, ſhould extend to take into the ſaid Pariſh any Lands in the Pariſh of St. *George* that were then ſettled; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

What Lands ſhall be deemed to belong to the Pariſh of *Portland*.

XX. AND whereas there were at the Time of paſſing the ſaid laſt mentioned Act, ſome few Settlements within the ſaid Boundaries, which have been ſince thrown up and deſerted, and which may hereafter occaſion Diſputes to ariſe between the ſaid Two Pariſhes of *Portland* and St. *George*: For Prevention whereof, be it enacted by the Authority aforeſaid, That all the Lands within the Boundaries deſcribed by the ſaid two laſt mentioned Acts, ſhall for ever hereafter be deemed, taken, and allowed to be in and belonging unto the ſaid Pariſh of *Portland*; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Proviſo.

XXI. PROVIDED always, and it is hereby enacted, That this Act, nor any thing herein contained, ſhall be of any Force to diminiſh, add to, or alter the Conditions, Limitations, and Reſtrictions of two ſeveral Parcels of Land at *Long Bay* and *Manchionele*, veſted in his Majeſty, his Heirs and Succeſſors, by virtue of two ſeveral Acts, the one intituled, *An Act for the better ſettling and ſecuring the Iſland, and veſting ſeveral Parcels of Land in the Crown, and for building of Barracks, and fitting out of Parties for the Reduction of the rebellious Negroes, and for cutting of Roads*; the other intituled, *An Act for the Eaſe and Relief of the Inhabitants of this Iſland in building Barracks, and remedying and ſupplying ſome Defects and Omiſſions in the late Barracking Law*; but that the Land ſo veſted, ſhall be and remain in his Majeſty, his Heirs and Succeſſors, and in the Perſons to whom they are or ſhall be granted, on the Conditions, Limitations, and Reſtrictions, and to the Uſes, Intents, and Pupoſes mentioned in the ſaid two Barracking Acts, as fully in every Reſpect, as if this Act had not been made; any thing herein contained to the contrary in any wiſe notwithſtanding.

FINIS.